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# VERMONT

## *in Quandary:*

1763-1825

*by* CHILTON WILLIAMSON

*Assistant Professor of History*  
BARNARD COLLEGE, COLUMBIA UNIVERSITY

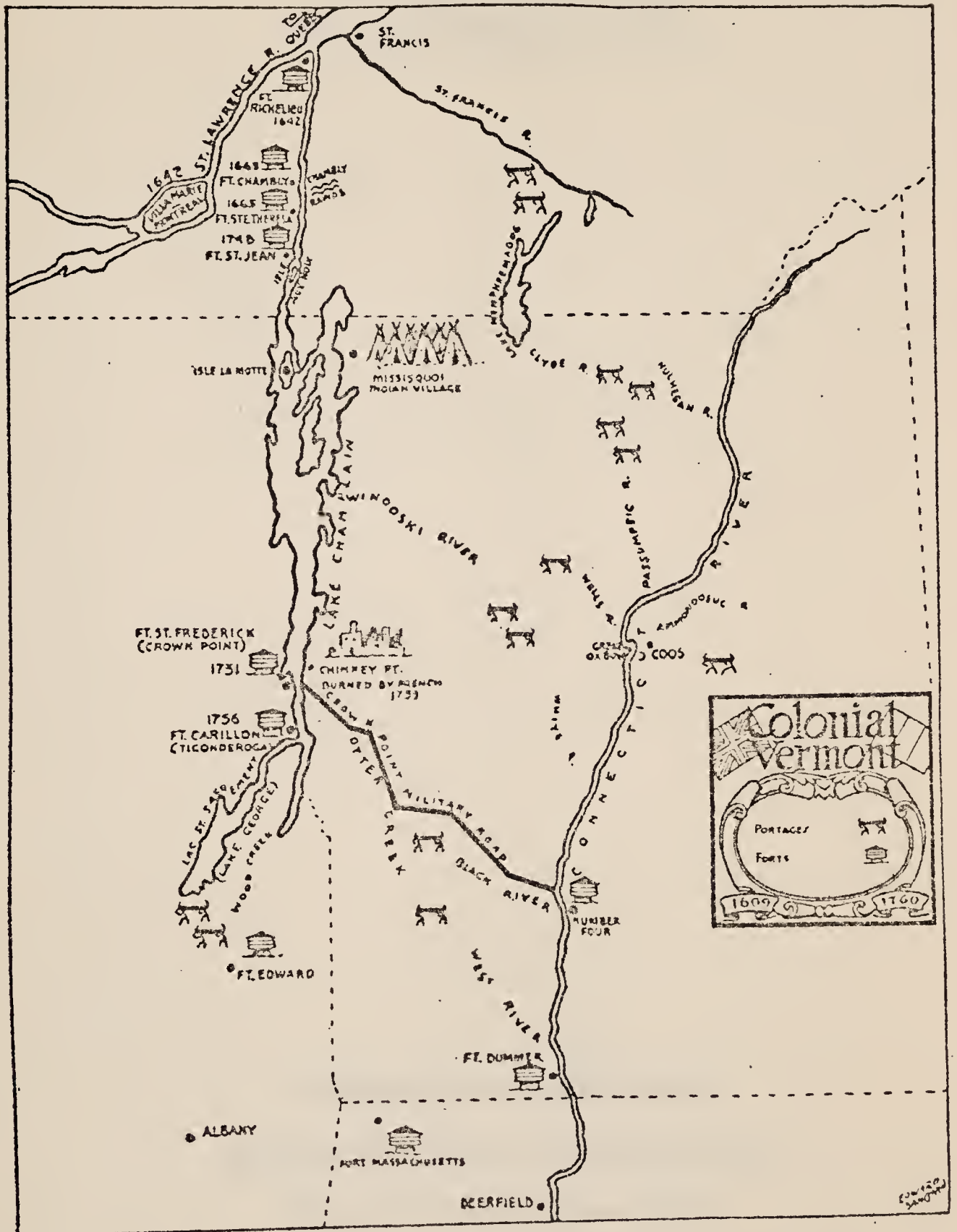
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*Volume four of the series*  
GROWTH of VERMONT

EARLE WILLIAMS NEWTON, *Editor*





*To the memory of my Mother,*  
MARY PARSONS WILLIAMSON



# *Growth of Vermont*

IN TEN VOLUMES

EARLE WILLIAMS NEWTON, *Editor*

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- I. THE FRENCH IN THE CHAMPLAIN VALLEY
  - II. THE NORTHERN NEW ENGLAND FRONTIER
  - III. GREEN MOUNTAIN BOYS
  - IV. VERMONT IN QUANDARY  
*by* Chilton Williamson
  - V. MIGRATION FROM VERMONT  
*by* Lewis D. Stilwell
  - VI. SOCIAL FERMENT IN VERMONT  
*by* David M. Ludlum
  - VII. TRADE AND TRANSPORTATION
  - VIII. RISE OF VERMONT INDUSTRY
  - IX. POLITICS OF AN AGRICULTURAL STATE
  - X. HILL COUNTY OF NORTHERN NEW ENGLAND  
*by* Harold Fisher Wilson
- 

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## EDITOR'S FOREWORD

For over a century the story of Vermont has been written in terms of Ethan Allen and the Green Mountain Boys. Ethan appears prominently in Dr. Williamson's narrative, it is true. But the author has taken a new tack, reaching behind the colorful scenes played upon the Green Mountain stage, to plumb the geographic and economic forces which moulded the character and activities of the principal actors.

The author clearly has a thesis—which he states frankly—that the geographic orientation of western Vermont was toward Lake Champlain, and consequently toward Canada and the St. Lawrence River—into which Champlain empties. Consequently he feels that the leaders of the new republic—almost all drawn from this side of the mountains—were inevitably drawn toward a Canadian connection. Moreover, almost all of them were involved in land speculations in the Champlain Valley.

We need not concede that the new state was organized solely to promote the land interests of the Allens and their associates, to appreciate the role of geography and the land business in the calculations of the "new staters." Furthermore, Professor Williamson has done great service in making clear the distinction between the devious course pursued by the Allens, and the undeviating loyalty of the vast majority of Vermonters to the Continental cause.

This book has been drawn from known sources, reinterpreted on a broader stage. The author has shown conclusively that it is impossible to judge the motives of the Vermont leaders solely in terms of what we know of their actions during the Revolution. A flood of new light is thrown upon this period by careful research in the great mass of hitherto untouched documentary material relating to the period from 1783 to 1820. The painstaking effort with which Professor Williamson has combed Canadian and American archives is a model of thoroughness. Because of wartime restrictions he was unable to utilize the great mass of related material which is buried in the papers of George Washington and the Con-





tinental Congress, as well as the Force Transcripts in the Library of Congress. The editor has spent considerable time drawing out the Vermont material from these since the submission of this book for inclusion in the series. The secret intelligence reports to Washington, as well as his own judgments, are in line with Dr. Williamson's conclusions.

Neither the author nor the editor will pretend that even this thorough probing of vast quantities of new and old material has provided us with a final answer to all the quandaries of this puzzling period. Scholars will object to a tendency to lump several people of varying motives under the phrase "the Allens." They will argue the author's evaluation of these motives—to the profit of scholarship generally. Any study of a period so formative, of people so unpredictable, can hardly be classed as anything but exploratory—despite the fact that it is the first new assessment based on original source material in nearly a hundred years. If we were to wait for an absolutely "definitive" volume, this niche in the series *Growth of Vermont* might well remain empty for another hundred years. Vermont historians can be grateful to Professor Williamson for a thoughtful, thorough book.

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## INTRODUCTION

The point of departure for this study was provided by an article published some years ago in the *Canadian Historical Review* by the historian, W. A. Mackintosh.<sup>1</sup> In this article Professor Mackintosh demonstrated that many of the puzzling and controversial aspects of Vermont's early history, including the Haldimand Negotiations, could be understood only against the background of its geography. He showed that the Champlain Valley section of the state had been tributary to the St. Lawrence River by the northward flowing Richelieu or Chambly River until man built a canal connecting Lake Champlain and the Hudson. Until the opening of this canal in 1822, Vermonters living in the valley found it more convenient, if not necessary, to trade with Canadians instead of with Yorkers or Yankees. Their isolation from American markets and sources of supply and their reliance upon Canadian trade greatly affected their attitude towards the outside world. They were determined, as Professor Mackintosh demonstrated, to maintain the Canadian ties, come what may. Indeed, it is not an exaggeration to say that economic geography was a determining factor in the pre-canal era of Vermont's history. Here was an highly original interpretation to which the author takes this opportunity to acknowledge his debt.

In the beginning, the author planned to write an economic history in which the political and other kinds of implications would be barely mentioned or briefly sketched. Yet the more this work advanced, the more evident it became that the lack of systematic studies of other aspects of Vermont history invited the broadening of his research and, consequently, the scope of his work. Eventually, it was decided to write a comprehensive rather than an economic history. It then became necessary to place Vermont's history in its political, social and cultural setting and to show how it was affected by and related to the main stream of American history.

It soon became clear that this new setting embraced all the

1. Mackintosh, W. A., "Canada and Vermont: A Study in Historical Geography," *Canadian Historical Review* (VII, 1, March, 1927); 9-30.





major events in American history extending from about 1760 to 1825. These included the Vermont counterparts of the French and Indian War, the American Revolution, the War for Independence, the Critical Period, the various crises in our relations with France and Great Britain between 1790 and 1815 and lastly, the Era of Good Feeling. The author has endeavoured to keep before him the geographic and time settings of Vermont's early history and to show how they affected the relations between Vermonters living in the different sections of the little state and between the state and other American states on the one hand, and Canada and Britain on the other.

My thanks are extended to all who have been of aid to me in unearthing the manuscript material upon which this study is largely based. At the Public Archives of Canada, Mr. A. J. H. Richardson and Miss Norah Story gave unstintingly of their time. At the New York State Library, Miss Edna L. Jacobsen did likewise. In Vermont, the staffs of the Vermont Historical Society, the Office of the Secretary of State, the Vermont State Library and the Library of the University of Vermont extended me every courtesy. My debt to the staffs of the Manuscript Division of the New York Public Library, the Library of Dartmouth College, the New Hampshire Historical Society and the William L. Clements Library is also great.

In closing, I wish to express my heartfelt thanks to Professor John Bartlet Brebner and Professor John Allen Krout of Columbia University. Their aid was indispensable.

CHILTON WILLIAMSON

Barnard College  
New York  
Nov. 7, 1947





# The New Departure

The physical geography of Vermont has had a profound influence on its history. On occasion, man tries to combat his physical environment; but more often he adapts himself to it. A clear picture of the physical features of the state, therefore, is indispensable to an understanding of its history.

A geographer examining a map of Vermont would be unable to suggest reasons for the boundaries of the state unless he knew its history. He would readily see that Vermont is composed of three major sections, each based upon a major drainage system. East of the Green Mountains he would see the drainage system of the upper Connecticut River and its western tributaries whose waters flow southward into Long Island Sound. West of the Green Mountains he would note the southwestern drainage system whose waters flow into the Hudson by the Battenkill and Hoosick Rivers. To the north he would see the third drainage system whose waters flow northward by Otter Creek, the Winooski, the Lamoille and the Missisquoi Rivers into Lake Champlain. The waters of this lake, approximately 130 miles long, drain northward through the Richelieu River into the St. Lawrence at a point about forty miles below Montreal. In the following pages these three major sections will be referred to as the Connecticut Valley, the Southwest and the Champlain Valley.<sup>1</sup>

Even before the French and Indian War, these sections gave promise of becoming the meeting grounds of the peoples of the New England colonies, Connecticut, Rhode Island, Massachusetts and New Hampshire; the middle colony of New York; and the French province of Canada.

From the east, fur trappers, lumbermen and even a few hardy

1. See Baulig, Henri, *Amérique Septentrionale* (Paris, 1935-1936), 2 vols.; Perkins, G. H., "Physiography of Vermont," *Report of the State Geologist on the Mineral Industry and Geology of Vermont* (Bellows Falls, 1918); Tarr, R. S., *The Physical Geology of New York State* (New York, 1912); Fenneman, N. M., *The Physiography of Eastern United States* (New York, 1938); Palmer, Peter S., *History of Lake Champlain* (Albany, 1866); Lamson, G. L., "Geographic Influences in the Early History of Vermont," *Proceedings of the Vermont Historical Society for the Years 1921, 1922 and 1923*, 79-138.





and daring settlers had entered the Connecticut Valley before the war. Each contributed to the establishment here of institutions which were chiefly of Connecticut, "the land of steady habits." The Southwest could be reached from the Connecticut River by going up the valleys of its western tributaries and overland to the headwaters of the rivers flowing into the Hudson. The Champlain Valley could be reached by going to the headwaters of the Winoo-ski River which rises east of the Green Mountains and flows through a gap in these mountains into Lake Champlain.<sup>2</sup>

At about the same time Yorkers entered the Southwest by pushing eastward into the valleys of the Battenkill and Hoosick Rivers. North of these rivers, the frontier threatened to pass over the low height of land separating the watershed of the Hudson from that of Lake Champlain.<sup>3</sup>

From the north, French Canadian trappers, lumbermen and settlers entered the Champlain Valley by the Richelieu River many decades before the French and Indian War.<sup>4</sup> The French claimed this section on the basis of geography in the manner described by Cadwallader Colden in 1749:

A Notion is entertained in this place [New York] that the French insist the Bounds of the French & English colonies are to be regulated according to the Rivers which empty themselves into the Sea or ports possess'd by the English or which empty themselves into the St. Laurence or into the ports possess'd by the French and it is thought there was formerly some kind of agreement enter'd into to that purpose.<sup>5</sup>

As the eighteenth century progressed, Yankees and Yorkers were less and less disposed to accept these territorial claims; consequently, the struggle between French and British mercantilisms was bound to involve the Champlain Valley. Its geography made it one of the strategic areas in the great Anglo-French conflict waged along the common frontier of the French and British

2. Stilwell, Lewis D., *Migration from Vermont* (Montpelier, 1937), 75-78.

3. Higgins, Ruth L., *Expansion in New York With Especial Reference to the Eighteenth Century* (Columbus, 1931), 1-90.

4. Coolidge, Guy O., *The French Occupation of the Champlain Valley from 1609 to 1759* (Montpelier, 1938).

5. New York Historical Society, *Collections* (New York, 1866-1943), 75 vols., LXVIII, 54.





possessions in North America. The British plan for the conquest of New France, first formulated by Samuel Vetch, made use of the Champlain Valley as a corridor through which an invasion from the south, in conjunction with an attack by sea, could force the surrender of the French.<sup>6</sup>

In time of peace, the geography of the Champlain Valley facilitated furtive and illegal business relations between the British and the French.<sup>7</sup> The illegal trade between the French fur traders of Montreal and the Dutch and British traders of Albany was a major scandal of the colonial period. During Lord Cornbury's governorship of New York between 1702 and 1710, the Albany traders entered into a commercial pact with French fur traders by which "they cultivated a private Trade with Montreal wch. by the scarcity of goods at Montreal & the dearness of Bever at New York was very Beneficial to some persons. . . ."<sup>8</sup>

Beaver skins sold for a lower price in Montreal than in Albany because of the superior geographic situation of Montreal in relation to the fur regions and also to transportation routes. The French had easier access than the English to the lower lakes by the St. Lawrence and to the upper lakes by the Ottawa. The lower price of French furs was due also to French techniques of fur trapping and trading with the Indians, which were superior to those of the English. The scarcity and resultant high price of manufactures at Montreal, compared with the abundant and lower priced manufactures of Albany was a consequence of the pattern of the French economy which was developed under Colbert and his successors. French mercantilism stressed luxury and high-priced goods, whereas British mercantilism emphasized utilitarian and low-priced goods, notably rum, woolen goods and hardware, so much desired by the Indians. The French sacrificed the production of low-priced rum to high-priced brandy. The British did not produce any brandy, but they did distill large quantities of low-priced rum. As a result of these contrasting economies French traders had to pay higher prices for the manu-

6. *Dictionary of American Biography* (New York, 1928-1944), 21 vols., XIX, 260-261.

7. Lunn, Jean, "The Illegal Fur Trade out of New France, 1713-1760," *Report of the Canadian Historical Association*, 1939, 61-76.

8. N. Y. H. S., *Collections*, LXVIII, 412.





factured goods and liquors they used in the fur trade than the Albany traders did, but the latter labored under the disadvantage of not being able to purchase furs directly from the Indians as cheaply as their competitors could. The lower prices of French furs at Montreal and British manufactures at Albany led to an illegal exchange of French furs for British manufactures.<sup>9</sup>

From Albany, large quantities of strouds (a coarse woolen cloth), copper kettles, cutlery and rum were transported to Montreal to be exchanged for beaver skins brought from the west by French traders. In order to escape punishment by their governments, both the French and the British traders employed the converted Iroquois Indians of the Jesuit Mission at Caughnawaga on the St. Lawrence to smuggle their goods. These Indians travelled inconspicuously between Albany and Montreal by way of the Champlain Valley.

The French and British administrators, in their attempt to forward the mercantilistic and imperialistic designs of their respective nations, waged a long and relatively unsuccessful war against smugglers. In order to destroy the principal excuse for this trade, Burnett, who was Governor of New York from 1720 to 1728, attempted to force the Albany traders to send out their own fur-trapping expeditions into the interior. Burnett's attempt failed; the traders continued to live in Albany, purchasing their furs, for the most part, from the French traders in Montreal.

The exchange of lower-priced British manufactures for lower-priced French furs was contrary to the principles of British no less than French mercantilism. It was deprecated as well by the overwhelming majority of the colonists of the New England and Middle provinces. They supported some of the principles of British mercantilism because they coveted exclusive possession of the North Atlantic fisheries; they desired to speculate and settle in western lands; and they sought to secure wholly for themselves the great beaver trade of the interior. All of these ambitions could be satisfied only by the ejection of the French from North America. Near the close of the French and Indian War, Robert Living-

9. Lunn, *op. cit.*; Gipson, Lawrence H., *The British Empire before the American Revolution* (Caldwell, Id.; New York, 1936-1946), V, 35-63; Harrington, Virginia D., *The New York Merchant on the Eve of the Revolution* (New York, 1935), 232-239.





ston of New York expressed the popular desire. "In my opinion," he said, "if we do not take Canada we shall get very little by this war." A wave of relief, therefore, swept through these colonies after the fall of Quebec in 1759 and the capitulation of Montreal in 1760.<sup>10</sup>

The success of British and American arms was acknowledged by the French at the peace conference in Paris. There, the victorious British were forced to decide whether to accept the cession by France of Canada or of the French West Indies, in particular, Guadeloupe. In order to secure the Canadian fur trade, to quiet the fears of the continental colonists and to protect the British sugar islands from the competition of French sugar produced on the less exhausted soils of the French islands, the British made the historic decision to take Canada.<sup>11</sup>

This decision removed the last remaining obstacle to the expansionist ambitions of the American colonials. The union of the valleys of the Connecticut, the St. Lawrence and the Hudson Rivers under the sovereignty of Great Britain released the pent-up energies of fur traders, land speculators and settlers. New York fur traders migrated to Montreal to take over, in conjunction with newly-arrived Scots, the fur trade.

The British government anticipated that many settlers as well as traders would move into the British province of Quebec. Its settlement by colonists from the seaboard might help to relieve the pressure upon the trans-Appalachian west where rivalries in the fur trade, the struggle between rival land promoters and the problem of pacifying the Indians, who had risen in rebellion under Pontiac, tested the mettle of statesmen. These problems and rivalries caused the British government to issue the famous Royal Proclamation of 1763, which established a licensing system for the fur trade with the Indians and drew a line down the crest of the Alleghenies, forbidding settlement west of that line. In recognition of the legitimate need of the American colonists for additional land for settlement, the Proclamation was designed

10. Savelle, Max, *The Diplomatic History of the Canadian Boundary, 1749-1763* (New Haven, 1940), 1-20; New York Public Library, Manuscript Division, Robert Livingston, Jr. to Abram Yates, Jr., Aug. 30, 1759.

11. Graham, Gerald S., *British Policy and Canada, 1774-1791; a Study in Eighteenth Century Trade Policy* (London, 1930), 1-10.





to attract colonists from the middle and northern colonies to Quebec by promising grants of land and the establishment of a provincial assembly.<sup>12</sup>

But these promises failed to attract these colonists to the province. Instead, Yankees and a few Yorkers moved up the valleys of the Hudson and Connecticut to occupy and settle the intervening lands of the New Hampshire Grants, later to be comprised within the state of Vermont. "At the happy period when Canada and New England became subject to one king," wrote Ira Allen, "this wilderness was rapidly settled, and soon changed into fruitful fields and pleasant gardens, as there were no longer any savages to make the inhabitants afraid."<sup>13</sup> Fear as a deterrent to settlement was removed, however, only to be replaced by a long and complex conflict between New York and New Hampshire over the spoils of victory in the Connecticut Valley, the Champlain Valley and the Southwest.

12. Burt, A. L., *The Old Province of Quebec* (Minneapolis, 1938), 76-86.

13. Vermont Historical Society, *Collections* (Montpelier, 1870-1871), 2 vols., I, 339.



## Revolutionary Antecedents

The origins of the conflict between New York and New Hampshire lay in land speculation and backcountry discontent. In time this conflict led to a part of New York being formed into a new state, Vermont.

The conflict involving land speculation arose because both New York and New Hampshire claimed the right to grant lands in what is now Vermont. As early as 1749, Governor Benning Wentworth of New Hampshire granted the first town west of the Connecticut River upon the assumption, later challenged by New York, that these lands lay within the jurisdiction of New Hampshire. By 1764, he had granted approximately 3,000,000 acres of the finest lands in the Connecticut Valley, the Champlain Valley and the Southwest, chiefly to New England land speculators, of whom he was one. Of these lands, he retained title to 100,000 acres.<sup>1</sup>

Prior to 1700 towns were generally laid out solely for the purpose of facilitating settlement; but during the 18th century many towns were surveyed and sold to speculators.<sup>2</sup> In the 17th century, persons desiring to secure land petitioned the legislatures of the New England colonies for grants of towns of which they would be the proprietors. After the grants had been made, these proprietors would lay out the towns and distribute the land among themselves. Afterwards, control of matters pertaining to the land would be vested in the Proprietors' Meeting in which each proprietor would cast one vote. This town proprietorship was the chief means by which the New England frontier was pushed westward from the seaboard.

By the 18th century, however, the proprietors were more often land speculators than settlers. These speculator-proprietorships originated in the desire of seaboard merchants to invest some of

1. Jones, Matt B., *Vermont in the Making, 1750-1777* (Cambridge, 1939).

2. See Akagi, Roy H., *The Town Proprietors of the New England Colonies* (Philadelphia, 1924); Woodard, Florence M., *The Town Proprietors in Vermont* (New York, 1936).





their capital which was not needed in commercial activities. Moreover, these merchants were discouraged by the British from entering manufacturing. As a result, these monies found a source of profitable investment in frontier lands after 1700, or thereabouts. Henceforth, more land was granted in the New England colonies to speculator-proprietors than to actual settlers. These speculators were able to control the Proprietors' Meetings and also sell the land for profit. The emergence of land-speculators resulted in numerous conflicts between them and settlers over the price of land, the building and maintenance of public improvements, the use and disposal of common lands and the granting to settlers of the right to vote in the Proprietors' Meeting.<sup>3</sup>

It is now known that the opposition to New York's claims to lands which had been granted by New Hampshire came chiefly from Yankee speculator-proprietors.<sup>4</sup> They were largely responsible for continuing the opposition to New York's claims by appealing to Great Britain. When appeal failed, they resorted to intimidation and violence and when this failed, they decided to establish a government for the New Hampshire Grants, independent of the government of New York, which would validate their titles.

The New York merchants, like those of New England, invested some of their surplus capital in frontier lands; but they were accustomed to a land system which differed radically from that of New England. In New York the manorial system was firmly entrenched; in New England the freehold system prevailed.<sup>5</sup> The New York settler was likely to rent land instead of buying it. The manors of the Phillipses, Van Cortlandts and the Livingstons were regarded by some as model social systems. Governor Tryon once commended the manorial relationship between landlord and tenant because it "creates subordination and counterpoises, in some measure, the general levelling spirit. . . ."<sup>6</sup>

The manorial system, however, was not extended by New York to the New Hampshire Grants, after New York reasserted its claim to the land west of the upper Connecticut River. In recog-

3. Akagi, *op. cit.*, 50-174; Woodard, *op. cit.*, 150.

4. Jones, *op. cit.*, 20-66.

5. Mark, Irving, *Agrarian Conflicts in Colonial New York, 1711-1775* (New York, 1940), 13.

6. *Ibid.*, 62.





nition of the attachment of Yankees to their institutions, New York employed the New England town system, but turned over the proprietorship of the towns to its own speculators rather than to Yankee speculators or settlers. So great was the speculation after the Seven Years' War that John Watts, a well-informed observer in New York, declared that land speculators "were making Hay abundantly while the Sun shines, they have the whole game in their hands."<sup>7</sup> Public and private interests in land speculation were as widespread in New York as they were in New Hampshire. In either province grants of land made by the royal governor could be secured almost for the asking; provincial lawyers amassed fees from the patenting of land; and the province of New York, in particular, increased its revenues by the collection of the annual feudal dues known as quitrents.

The sole difference between the two groups of land speculators lay in New York's successfully claiming title to the lands in dispute. The Yorkers asserted that the clause in their Royal Charter of 1664, which granted "all the land from the West side of Connecticut to the East side of Delaware Bay . . .", established New York's eastern boundary along the west bank of the Connecticut River. The New Hampshire grantees countered by maintaining that the "West side of Connecticut" referred to the western boundary of that colony. When, in 1731, New York accepted a line drawn twenty miles east of the Hudson as the boundary between New York and Connecticut, additional color was seemingly given to the claim that the boundary between New Hampshire and New York should be a northward extension of this line. This contention, of course, the Yorkers rejected. They maintained that the establishment of the twenty mile line as the Connecticut-New York boundary and its acceptance in 1773 as the boundary between Massachusetts and New York did not prejudice their rights to the Connecticut River as the boundary between their colony and Wentworth's province.<sup>8</sup>

The Yorkers should have clinched their arguments by quoting from the confirmatory charter granted in 1674, following the

7. N. Y. H. S., *Collections*, Letter Book of John Watts, LXI, 146.

8. The 1664 charter is printed in Macdonald, W. (ed.), *Documentary Source Book of American History, 1606-1913* (New York, 1916), 75-76.





restoration of the province to the English by the Dutch. This charter, so often over-looked, gave to New York "all the land [s] from the west side of *Conecticut River* to the east side of Delaware Bay. . . ." <sup>9</sup> The discrepancy between the two charters gave rise to the greatest confusion; it was worse confounded by the British government's neglect to make an authoritative and unequivocal statement as to the real meaning of the troublesome clause in the 1664 charter and its reasons for changing the wording in the second charter. Possibly, the government at this time was not aware of the discrepancy.

As early as 1753, the Governor of New York issued a warning to the New Hampshire grantees that their titles were invalid; but not until after the French and Indian War did New York vigorously press its claims to these lands. Probably New York did not act earlier because these lands were menaced by the French and their Indian allies. Soon after the close of the French and Indian War, New York requested the British government to prohibit the Governor of New Hampshire from granting lands within the province of New York. New York officials must have agreed with John Watts when he said: "'tis high time all the lines were settled, or this little crowded Colony will be tore to pieces." <sup>10</sup>

On July 20, 1764, the Privy Council in rather ambiguous language declared the west bank of the Connecticut River "to be" the boundary between New York and New Hampshire. <sup>11</sup> Although the Privy Council settled the dispute on the basis of the wording of New York's Royal Charter, it advanced additional reasons for its decision, declaring that the upper Connecticut River provided a natural boundary between the two provinces, that the Grants had better facilities for trade with New York than with New Hampshire and that the quitrents collected by New York would refresh the revenues of the Crown. The future showed that the first two reasons were debatable because the inhabitants of the Connecticut Valley never considered the river a natural boundary, nor did they consider that New York offered better facilities for trade and communication than New Hampshire.

9. *The Colonial Laws of New York* (Albany, 1894), 5 vols., III, 1641.

10. *Letter Book of John Watts*, 147.

11. Jones, *op. cit.*, 71.





The decision of the Privy Council was received with gratification by New York land speculators, but with apprehension by their counterparts in New England. If this decision had declared merely that the Grants were transferred from the jurisdiction of New Hampshire to that of New York, the speculators in New Hampshire titles would have had little to fear. But, unhappily for them, the wording of the decision provided New York with the opportunity to state that the lands in dispute had been under the jurisdiction of New York since 1664 and, hence, that titles derived from New Hampshire were illegal. This decision, Yorkers stoutly maintained, invalidated all the titles to lands granted by New Hampshire between 1749 and 1764. From this moment land speculators who claimed grants under New Hampshire title began their long struggle against New York over these lands. To get a grant from New York or to secure New York's confirmation of a New Hampshire title would entail the payment of lawyers' fees, expenses which appalled speculators who had little or no cash. Settlers who had small acreages under New Hampshire title were able to pay the expenses of confirmation; but these expenses were forbiddingly large for speculators holding thousands of acres in which most or all of their capital was invested. Nevertheless, sixty confirmatory patents were voted by New York of which nineteen were actually patented.<sup>12</sup>

One might reasonably expect that the Yorkers, having so recently exposed to their satisfaction the illegality of the Wentworth grants, would have embarked in a lawful manner upon the granting or re-granting of lands in the area comprised within the New Hampshire Grants. But they showed no more disposition than had Yankees to obey royal instructions. In flagrant disregard of the King's wishes, the Governors of New York, their Councils and their personal friends belonging to the landed, commercial and professional classes rushed to secure as large grants of land as their purses and influence would permit. When ex-Governor Tryon left the province in 1783, his deeds for land were left for safekeeping in the hands of his friend, Goldsbrov Banyar, one-time Deputy-Secretary of New York. Tryon held title to 15,000

12. Jones, *op. cit.*, 110-111, and Appendices.





acres in Norbury, granted in 1772 to Edward Fanning and associates "as Trustees for him (he himself being then Governor) and by them reconveyed to him."<sup>13</sup> The land-holdings of John Tabor Kemp, one-time Attorney-General of the province, consisted of 26,000 acres in Princetown, 4000 in Camden, 360 in Brattleborough, 5947 in Kempton, 1000 in Kent, 4000 in Fincastle, 6000 in Meath and 50 acres and four lots in New Brook.<sup>14</sup> Even more extensive were the holdings of William Smith, a leading lawyer in the province, a member of the Livingston faction and the Governor's Council who until his death exerted great influence upon the history of the New Hampshire Grants. These grants violated the royal instructions which limited to 1500 acres the amount of land to be granted to one individual.

Rumors of land-jobbing in New York which reached the British government, caused Lord Hillsborough, Secretary of State for the Colonies, in June of 1771, to order the Governor's Council to obey royal instructions. This order "gave much Dissatisfaction to the Council," according to William Smith.<sup>15</sup> Three years later Smith reported that Lieutenant-Governor Cadwallader Colden remained "perfectly indifferent to the Smiles and Frowns of the King."<sup>16</sup> Despite Hillsborough's disapproval of the "use of devices by which persons get more land than [that which] they are entitled to by law," New York granted to speculators lands in the New Hampshire Grants.<sup>17</sup>

The flagrant violations of the royal instructions by Yorkers had meanwhile provided an opportunity for Yankees holding New Hampshire grants to obtain in London a more sympathetic view of their plight. In 1767 a group of Yankee speculators, who refused to accept as final the Privy Council decision of 1764, dispatched one of their number, Samuel Robinson, to England in order to secure confirmation of their titles by some less expensive means than that which had been proposed by New York. In London, he secured the aid of Connecticut's agent, William Samuel Johnson, who in turn enlisted the help of Lord Shelburne, then

13. N. Y. P. L., *Transcripts of Loyalist Claims*, 59 vols., XLIII, 128.

14. *Ibid.*, XLVI, 46, 42-48, 108, 227, 248-249.

15. N. Y. P. L., *William Smith Diary*, Aug. 4, 1771.

16. *Ibid.*, July 20, 1774.

17. V. H. S., *Jones Photostats*, Hillsborough to Tryon, Dec. 4, 1771.





Secretary of State for the Colonies, and also that of the Society for the Propagation of the Gospel. Shelburne, hearing only the New England version of the land dispute, developed strong sympathies for the grantees under New Hampshire. Equally sympathetic was the S.P.G., whose interests were involved because Wentworth, from piety or design, had set aside land in each town for its benefit. Such a gift was no doubt highly pleasing, because the Society sought to increase its influence in New England where the rank and file of Yankees were opposed to the Anglican Church.<sup>18</sup>

Shortly thereafter, the S. P. G. presented a petition to the Board of Trade which described the advantages which would accrue to the Anglican Church by the confirmation of the New Hampshire titles. The Society did not choose to champion the legal right of New Hampshire to this land. Instead, the petition pointedly referred to the omission of like grants to the S.P.G. by New York. The Board of Trade responded by advising the Privy Council that "we think it will be highly necessary and expedient, that the most positive Orders should be immediately sent to His Majesty's Governor of New York to desist from making any grant whatever of any part of those lands, until His Majesty's further pleasure shall be known."<sup>19</sup>

In conformity with this advice, the Privy Council on July 24, 1767, forbade New York to grant lands which would conflict with those already granted by New Hampshire, until "the King's pleasure shall be known."<sup>20</sup> In defiance of this order, New York continued the granting of land, thereby increasing the confusion already existing in land titles.

Although William Smith was as deeply involved as any in land speculation, he opposed future violations of the royal instructions. He adopted this attitude perhaps because he had already secured grants totalling approximately 100,000 acres. His attitude did not prevent him from petitioning in the spring of 1771 for a grant in the vicinity of Royalton, justifying his action by saying to Governor Dunmore "frankly that I did not desire the grant til the

18. *Ibid.*, William S. Johnson to Agar Tomlinson, Sept. 12, 1767.

19. *Jones Photostats*, Report of the Board of Trade, June 2, 1767.

20. Also to be found in *Jones Photostats*.





instructions would admit of it. And that I only meant to secure a preference when they would admit of a Patent's issuing."<sup>21</sup> So disobedient was the Governor's Council that in 1772 the British Government ordered the Governor of New York to desist from the confirmation of any more New Hampshire titles. Lord Hillsborough followed these instructions with a letter which was read in the Council on June 15, 1772. In it he gave an emphatic order to Tryon to obey them "without any respect to prudential considerations."<sup>22</sup>

Thus by 1772, a situation unsatisfactory to Yankees had been reached because New York's title to the land had not been successfully challenged. The situation was unsatisfactory to Yorkers because the Privy Council decision of 1767 and the royal instructions of 1772 prevented New York from taking full advantage of the Privy Council decision of 1764. The impasse between New York and New Hampshire grantees was broken only when the Yankee speculators forged an alliance with the actual settlers in the Grants in common hostility to New York.

The opposition to New York had been aroused initially by Yankee speculators, but by the time of the Revolution, the settlers had become a major source of opposition. In 1762, only about seventy families in a dozen towns had settled east of the Green Mountains and only about fifty families had settled in the region around Bennington in the Southwest.<sup>23</sup> By 1771, 4669 persons were reported living within the confines of the Grants and by 1776 the number had risen to approximately 20,000.<sup>24</sup>

Yet the primary interests of settlers and speculators were distinct and separate. The latter were primarily interested in validating their New Hampshire titles and this was the chief cause for their hostility to New York.

The settlers' hostility arose from grievances only indirectly associated with the land title dispute. The grievances of the actual settler, whether on geographic, cultural, political, economic or

21. *Smith Diary*, June 7, 1771.

22. *Ibid.*, June 15, 1772.

23. *Jones Photostats*, John Tabor Kemp Report to Governor Dunmore, March 17, 1771, Appendix No. 31.

24. Greene, Evarts B., Harrington, V. D., *The American Population Before the Federal Census of 1790* (New York, 1932), 86.





religious grounds, proved increasingly weighty handicaps to New York's assertion of governmental authority over the people in the Grants. "You always flatter yourselves with the New England mens turning good and faithful subjects," wrote the Yorker, John Monroe, to a friend in New York, "but beleeve its my sollit opinion if you was to bestow all your lands upon them without any fee or reward they will never be faithful to this Government for they are all possessed of a spirit of contradiction, their so full of venom and spite against the Government and all its authority that tho they are forced yet the sting remains. They talk so smooth and hansom yet the devil lies at the bottom."<sup>25</sup>

Geography played an unspectacular but nonetheless effective role in causing eventually the separation of the Grants from New York. Only the Southwest was tied commercially to New York, the Connecticut Valley was tied commercially to New England, and the Champlain Valley to the Province of Quebec. Governor Colden must have been misinformed when he wrote that one advantage of the Grants' remaining in New York would be that the trade would gravitate naturally to New York.<sup>26</sup> Although John Tabor Kemp recognized that the market for the northern parts of the Grants would lie in Quebec, "from its easy Communication by water," and that the market for the middle and southern parts would lie in the towns of the Hudson Valley and the valley of the Connecticut, he said, "in general it may be conceived that the greatest Quantity [of trade] will pass down Hudson's River from the Superior Advantage of its Navigation."<sup>27</sup> Yet geography placed the greater number of the inhabitants of the Grants at what they considered to be an inconvenient distance from the major commercial centers of New York.

Geography was also responsible in part for cultural differences between Yankees and Yorkers.<sup>28</sup> They had been to a degree isolated from one another and had developed different customs and institutions. As a result, Yankees and Yorkers did not always enjoy one another's company. Lewis Morris of New York was so

25. Wilbur Library, Wilbur Photostats, No. 3180.

26. New York Historical Society, *Collections*, IX, 67-68.

27. Jones Photostats, Public Record Office, C. O. 5/1102, 121-141.

28. See Fox, D. R., *Yankees and Yorkers* (New York, 1940).





hostile to Yankees that he left instructions in his will that his son, Gouverneur, should never be sent to Connecticut for his education lest "he should imbibe in his Youth that Low Craft and Cunning, so Incident to the People of that Country, which is so interwoven in their constitutions, that all their art cannot Disguise it from the World, though many of them under the Sanctified Garb of Religion have Endeavoured to Impose themselves on the World for Honest Men."<sup>29</sup>

Yankees reciprocated with an intense dislike for New York's political and legal institutions. New York's suffrage qualifications, its refusal to sanction local government other than that of Proprietors' Meetings, its inequalities in Assembly representation and its swarm of debt-collecting lawyers and sheriffs were basic grievances in the eyes of New Englanders. Many Yorkers imperfectly perceived the significance of these grievances. Kemp wrote Dunmore on March 17, 1771, that "with respect to Government I am at a loss why this of New York should be detrimental or disagreeable to them, unless it arises from a Regret that this Province does not authorize like New Hampshire, Public Conventions or Town Meetings as they are called upon the Plan of the Eastern Governments, and which have been productive of so many Tumults and Disorders in some of the American Colonies, or allow of so many Elective offices."<sup>30</sup>

It was necessary for New York to establish counties and county courts in the Grants in order to preserve law and order, and more particularly to enforce the collection of debts and to provide the means for exercising watch and ward over the interests of absentee land-speculators. As a result, New York erected in what is now Vermont three counties: Cumberland County in the southeast corner in 1768, Gloucester County to the north in 1770, and Charlotte County west of the Green Mountains in 1772.<sup>31</sup>

Prior to 1772, New York did not admit representatives from these counties to the New York Assembly. Here, as in other colonies, representation and the apportionment of seats in the

29. *Ibid.*, 214-215.

30. *Jones Photostats*, Kemp Report.

31. Hall, Benjamin H., *History of Eastern Vermont* (Albany, 1865), 2 vols., 1, 142-160; Jones, *op. cit.*, 276.





Assembly were major political issues. Yankees had always been fiercely attached, in theory, to the principle of equitable representation. If New York wished to maintain its jurisdiction and its authority in the Grants, this principle could not be ignored. The first plea for representation for the Grants was dated December 29, 1770. Nathan Stone, who lived in the Connecticut Valley, wrote William Smith that the lack of representation was esteemed "a very peculiar grievance" and that "the fatal Consequences from this Deprivation will appear so clear to Gentlemen of your Superior abilities as to need no elucidation, and I flatter myself that you will be pleased to lend your aid towards redressing the grievance."<sup>32</sup>

Governor Tryon sympathized with the desire of the inhabitants to be represented in the New York Assembly. He was supported by William Smith who declared in 1772 "that the worst consequences would result from denying those N England settlers *essential* Rights, & that if a county were made and there were but 5 Free holders in it, I would vote for Representation."<sup>33</sup> Tryon, according to Smith's diary, in urging action "upon Principles of public and general policy . . . . declared it to be the Right of the People, & that it would tend much to prevent & suppress Disorders—that when they made a County County Rights ought not to be denied, & that all objections that could be made would only be proper agt. making a County."<sup>34</sup>

So strong was the opposition in the Council to the proposal to grant representation that not until December 23, 1772, did the Council agree to admit two representatives to the Assembly from Cumberland County. The New York Assembly, like other provincial assemblies, was not representative of all Yorkers because of property qualifications for the suffrage. Yet in New York, the principle of sectional or geographical representation (under proper safeguards) was firmly rooted. It was this principle which was extended to a part of the Grants in 1772. The Council of the Royal Province of New York, however, never granted representation to Gloucester and Charlotte Counties.

32. Jones Photostats.

33. Smith Diary, December 23, 1772.

34. Ibid., Dec. 11, 1772.





The fears entertained by members of the Council, who resigned themselves finally to admitting these representatives from Cumberland County, were undoubtedly exaggerated, for suffrage qualifications remained the same as for Yorkers elsewhere in the province. Furthermore, the members who were elected from the Grants, Crean Brush and Samuel Wells, were conservatives who represented Yorkers and their interests in the Grants. Brush, born in Dublin, Ireland, had served as assistant to Goldsbrow Banyar before moving to the Grants in 1771. Although born in Deerfield, Massachusetts, Samuel Wells was a staunch defender of New York's authority. He was rewarded with an appointment as Judge of the Cumberland County Inferior Court of Common Pleas.<sup>35</sup> Although these men might disagree with their colleagues in the Assembly on issues of a sectional character, they could be trusted to favor the speculators rather than the settlers. Thus, the settler could look forward to representation based on property qualifications and to political patronage going to those who actively supported New York. In these circumstances, representation was viewed as a mere mask behind which the provincial government exerted a firm hold on the Grants.

Settlers' dissatisfaction with New York's jurisdiction was increased by the necessity to pay to New York the feudal quitrent. Unlike the inhabitants of the middle and southern colonies, the overwhelming number of Yankees had never paid quitrents. Only in New Hampshire were certain land grants subject to a fee of 12d per 100 acres. West of the Connecticut River, the New Hampshire land grants were subject to quitrents of one ear of Indian corn each year for the first ten years and, thereafter, 1 shilling per 100 acres per year. Quitrents in New Hampshire remained nominal, chiefly because the Wentworths did not provide adequately for their collection.<sup>36</sup> In New York a quitrent of 2s 6d per 100 acres was levied upon all grants and more strictly enforced than in New Hampshire.<sup>37</sup> The substantial difference between the quitrents payable to New Hampshire and those payable to New

35. Hall, *op. cit.*, II, 602-604, 643-645.

36. New Hampshire, *Provincial and State Papers* (Concord, etc., 1867-1943), 40 vols., XXVI, 5.

37. Bond, Beverley W., *The Quit-Rent System in the American Colonies* (New Haven, 1919), 254-285.





York provided an additional incentive for the inhabitants of the New Hampshire Grants either to join New Hampshire or to establish an independent province.

A more spectacular and purely economic grievance arose from the unhappy relationship between backcountry debtor and seaboard creditor. Frontier activities—felling forests, clearing land, erecting homes and purchasing stock and provisions—required small but significant amounts of credit which usually could be secured only from seaboard merchants. Often settlers misjudged their ability to pay their debts, or a promising crop was withered by drought, and occasionally the settlers were the victims of economic depression. When the worst happened, backcountry settlers found the payment of debts difficult or impossible. Particularly was this true during the depression which followed the French and Indian War. The surviving records of the Cumberland County Inferior Court of Common Pleas consist largely of suits for the recovery of debts.<sup>38</sup>

Governor Colden recognized that the pressure of creditors upon debtors was contributing to the settlers' hostility toward New York. Following a debtors' riot in the Grants, he declared: "if the debts of the people who have been concerned in this outrage were all paid, there would not be a sixpence of property left among them."<sup>39</sup> In later years, Yorkers living in the Grants accused Yankees of having established a separate government for the purpose of evading the payment of their debts to Yorkers. "We further represent," a petition from Brattleborough stated, "that a considerable number of the people in this County who are so warmly engaged in the setting up their new State have no property or but Little property which they can claim under any grant whatever; and that we Really Believe that the leaders of the People who are for the new State in this County are persuing what they Esteem their privit Interest and prefer that to the public weel of America."<sup>40</sup> These and other agitators, who were harassed by the conflict over land titles, pressed to pay debts and

38. The records are in the *Stevens Collection* of the New York State Library.

39. Hall, *op. cit.*, I, 239.

40. *Records of the Governor and Council of the State of Vermont* (Montpelier, 1873-1880), 8 vols., I, 366.





subject to the New York Courts were convinced that they were morally justified in overthrowing New York's authority.

The Chester riot of 1770 against the New York Courts and an unpopular Yorker sheriff, John Grout, illustrates the growing exasperation of the Grants inhabitants with New York's jurisdiction. The riot was instigated by Nathan Stone, who was heard to declare "that while he had life, he would oppose the sheriff, and that the people of Windsor and some other places would join and stand by him to the last drop of their blood." On June 5, Stone and a mob, composed of thirty men brandishing clubs and other weapons, burst into Samuel Wells' Court. Stone denied the right of New York to erect courts and demanded the dismissal of Grout, lest, he said, "we shall do something which I shall be sorry to be obliged to do, which will make Your Honour repent not complying with our request." Forthwith Wells adjourned the Court. The rioters were not arrested. "The Court," explained Wells, "apprehended it not prudent that the said Rioters should be put on Tryal."<sup>41</sup> Two years later Yankee inhabitants forestalled the sale for debt of the goods and cattle of Leonard Spaulding by moving his property to the east bank of the Connecticut River out of the jurisdiction of the New York Courts.

The gulf separating Yankees and Yorkers was widened by the intellectual and religious ferment in the Grants during the years between the French and Indian War and the American Revolution. In the early seventies a Yorker, Charles Phelps, described its significance and influence.<sup>42</sup> "What has brought the Country into these Circumstances," he said, "we must take Liberty to be very Particular." He declared that many of the settlers also had an "idolatrous reverence" for the laws and customs of the New England colonies, "which contributes much to creating and keeping up of factions." Furthermore, he emphasized the ideas and activities of a religious sect which had become popular in the Grants. In pre-revolutionary years the Grants were one center of opposition to and reaction from New England Congregational orthodoxy. How much credence is to be given to one Yankee's

41. Hall, *op. cit.*, I, 162, *passim*; II, 644.

42. Phelps' letter, burned to a crisp, is in the Stevens Collection of the N. Y. S. L.





statement that his neighbors "are avowed enemies to the cause of Christ, at least by practice," would be difficult to establish.<sup>43</sup> At all events, religious zeal and dissent prepared in subtle ways for the coming upheaval.

Charles Phelps saw clearly how religious and political agitations were coalescing. Laying the blame, in part, on the attachment to liberty, he declared:

Another Kind of People who have Contributed much to the Continuing the People in their state of outlawry is a religious order that have lately sprang up. One Reuben Jones is the Father of this Sect and one Alijah Lovejoy is a Fellow Labourer and preacher of the Same—this pious order profess the Greatest Reverence for the Holy Word of God and declare it is the Law of a perfect Law-giver, and contains in it all Laws necessary for the Well Ruling ordering and Governing all Kingdoms and Counties on the Earth that it is Blasphemy against the g-d given [law] for anybody or bodies of men to make any Laws or ordonances and Sinful to obey such Laws and ordonances when made, and that in the one case and the other Gods holy law is Robbed of the Honour of being a perfect Rule, that in the Holy book of God there is not so much as Magna Charta, Habeas Corpus Act, writs of Habeas Corpus, Supervisors, Sheriffs, Constables, Grand-jurors or pettit Jurys, and a long list of such idle Insignificant words and names so much as once mentioned and that therefore these words names etc ought to be Treated with a Holy Contempt as becometh Saints, these two Reformers have had Considerable success not having been on their Mission more than a year.<sup>44</sup>

Was it any wonder that the early seventies witnessed more than one attempt to interrupt the sittings of the New York Courts in the Grants?

In these early acts of lawlessness, the British government was involved only to the extent that it supported the seaboard against the backcountry, primarily through the person of the royal governor. With the sole exception of the Privy Council decision of 1764, the British government leaned, as the American Revolution

43. Bayley, E. A., "Brigadier-General Bayley," *Proceedings of the Vermont Historical Society*, 1917-1918, 57-92, 67.

44. N. Y. S. L., *Stevens Miscellaneous*, badly burned.





approached, with more rather than less favor towards the settlers and speculators holding land under New Hampshire titles. In one particular only did the British government give offense directly to the inhabitants. This consisted in British efforts to reserve white pine fit for masts for the use of the royal navy. By placing the mark of the Broad Arrow on the finest pines and by granting bounties on masts and naval stores, the British hoped to make their navy less dependent upon the Baltic source of timber and to fit New England's economy into the imperial economy by developing Yankee activities which would not compete with British activities.<sup>45</sup>

The Broad Arrow policy was inaugurated in 1729 and a Surveyor-General of His Majesty's Woods was appointed to enforce it. The position was held first by Benning Wentworth and later by his nephew, John. The younger Wentworth took his duties seriously, perhaps because in his private capacity he purchased marked pine under contract for the British Navy.<sup>46</sup> He found it difficult to prevent the cutting of marked pine because the inhabitants of the Grants insisted that the Broad Arrow violated their rights. Time and time again his deputies reported the illegal cutting of pine. Efforts to overawe the settlers by the pomp and ceremony of the Governor's passage through the woods were of no more avail than court proceedings against illegal cutters. Wentworth was forced to acknowledge that the settlers looked upon every reservation as "an increased infringement upon property."<sup>47</sup> He informed Shelburne that "they would hardly admit any Law to take place."<sup>48</sup>

Despite the outcry against the Broad Arrow, the antecedents for a popular revolution against provincial authority and, to a degree, against imperial authority are to be sought in the local grievances of the settlers. The prerequisite for such a revolution within a revolution was the forging of an alliance between the

45. Albion, Robert G., *Forests and Sea Power, The Timber Problem of the Royal Navy, 1652-1862* (Cambridge, 1926), 247.

46. *Ibid.*, 251-253. See also Mayo, Lawrence S., *John Wentworth, Governor of New Hampshire, 1767-1775* (Cambridge, 1921), 51-58; Gipson, Lawrence H., *Jared Ingersoll, a Study of American Loyatism in Relation to British Colonial Government* (New Haven, 1920), 87-106.

47. New Hampshire Historical Society, *Wentworth Transcripts, Wentworth to Messrs. Durand and Bacon, June 23, 1770.*

48. *Ibid.*, Wentworth to Shelburne, Sept. 3, 1767.





settlers and the speculators. Until 1772 the strategy of the Yankees was not based upon such an alliance. Speculators, especially Samuel Robinson, had relied almost exclusively upon legal representations which had little appeal to settlers not involved in land speculation. After 1772 a new and effective leadership emerged with the arrival of the brothers Allen—Ethan, Heman, Zimri, Heber, Levi and Ira—in the Grants. The Allens took advantage of the approaching revolutionary crisis between Great Britain and the colonies to assume leadership of the speculators' cause which was languishing because of failure to identify it with the grievances of the settlers against New York.

Soon the Allens were to endeavour to convince the settlers that New York was an exploiting monster, bleeding the poor folk of the Grants of their substance, harassing them with debt-collectors, heartlessly appropriating their land and denying them their fundamental political rights. They hoped that this propaganda would enable them to arouse a truly popular and potentially revolutionary fervor which they could direct in its initial stages not so much against a remote Great Britain as against a neighboring province. This propaganda contained enough truth to make it convincing; enough, too, to make the settler overlook the fact that, in siding with and accepting the leadership of the Yankee speculators, he possibly ran the risk of exchanging one set of land-jobbers for another.



## The Coming of the Allens

The Allens not only developed a new leadership within the Grants to replace the old, but also shifted the locale of opposition to New York from the Connecticut Valley and the Southwest into the Champlain Valley. The coming of the Allens meant new directions, new ambitions and new problems, no less than a new leadership.

For almost a decade before the Allens arrived, the Champlain Valley had been largely under the influence of land speculators and a handful of settlers from New York. The presence of these Yorkers was due to several factors. The great amount of land to be settled in the Province of Quebec made French Canadians lack interest in the settlement of lands lying south of the forty-fifth parallel along which the New York-Quebec boundary had been drawn in 1762.<sup>1</sup> This lack of interest caused the government to forfeit the pre-conquest French grants in the valley for not complying with the requirements for settlement.<sup>2</sup> At this time few Yankees displayed much interest in these lands because they were busily engaged in establishing permanent settlements in sections nearer to the older New England towns. Yorkers, on the other hand, could easily enter the Champlain Valley by the Southwest or by crossing from the Hudson to the head of Lake Champlain.

The most prominent of these Yorkers who took advantage of the commercial opportunities and abundant land in the valley were Philip Skene and Will Gilliland.<sup>3</sup> Both secured grants of land in the first years after the end of the French and Indian War; the former at the south end of the lake, the latter on its western shore. Because their lands lay wholly outside the area comprised within the New Hampshire Grants, their titles were at no time in dispute.

1. Public Archives of Canada, *Internal Correspondence of the Province of Quebec* (S Series), XIII, 124; *Board of Trade Papers Relating to Canada* (C. O. 42), VI, 174-175.

2. P. A. C., C. O. 42, I, pt. 1, 63-65.

3. Pell, John, "Philip Skene of Skenesborough," *Quarterly Journal of the New York State Historical Association* (IX, 1, Jan., 1928), 27-44; Pell, John, "The Saga of Will Gilliland," *New York History* (XIII, 4, Oct., 1932), 390-403.





When Philip Skene, who was born in Fifeshire, Scotland, scouted the valley during the French and Indian War, he saw its future possibilities for trade and settlement. After considering several sites, he decided in 1765 to settle near the present town of Whitehall. There he developed a great estate of 29,000 acres called Skenesborough, which he modelled on the manors of the Hudson Valley. His imposing stone house, one hundred and thirty feet long, dominated the landscape. Nearby he built a saw mill, a forge, and opened a general store stocked with supplies, many of which had been purchased in Quebec. He thought that the timber cut by his laborers and tenants would find a ready market in Quebec and that a prosperous trade would eventually develop with the Northern province. The *Quebec Gazette* reported on July 1, 1771, that two vessels were in the stocks at Skenesborough. Skene was slowly realizing his ambitions before the Revolution. After its outbreak, he was denounced as an aristocrat and a loyalist and was swept from his estate by his tenants. Eventually he went to London to live.<sup>4</sup>

The second man who desired to establish an estate was Will Gilliland. He settled near Point au Fer on the western shore of the lake, at a place he named Willsboro. In 1765 he transported from New York a minister, two millwrights, one carpenter, a clerk, four weavers, a housekeeper and an indentured woman servant. In the following year 22 wagon loads of stores and furniture arrived at Willsboro. Before the Revolution he cleared lands, built houses and mills and, like Skene, bought supplies in Quebec and shipped lumber into the province by Lake Champlain and the Richelieu River. Gilliland went to Montreal in July of 1765 to purchase supplies and provisions. He wished to render the Richelieu navigable to ocean-going vessels by building a canal around the rapids. Although he saw that the natural market for the valley was in the Province of Quebec, he was interested in improving the overland route from the Champlain Valley to the Hudson. He wrote the Society for Promoting Arts, Agriculture and Economy of New York that the present route must be improved because he and his settlers had experienced great difficul-

4. Pell, *op. cit.*, "Philip Skene of Skenesborough", 30.





ties in transporting goods from the Hudson to Lake Champlain. He described the route as a "Labyrinth of fatigue, anxiety, troubles and expense."

The activities of these men were soon eclipsed by the Allens who came into the valley in the wake of the first generation of speculators. They were fortunate to reap where others had sown. For more than twenty years the history of the Champlain Valley was largely the history of this truly remarkable family. Unfortunately, little is known concerning the early life of the three more active and enterprising brothers: Ethan, Levi and Ira. Available records show that they came from good but relatively humble Connecticut backcountry stock, that Ethan, the oldest, was born in 1738, and that Ira, the youngest, was born in 1751. The family lived first in Litchfield, then in Cornwall. The brothers probably attended the local schools, and one of them, Ethan, was a soldier for a short time during the French and Indian War, but did not fight in any battle. Their chief intellectual stimulus was provided by Dr. Thomas Young, an interesting man whose views on politics and religion were decidedly unorthodox. Their chief business activities centered in a variety of money-making schemes—buying and selling deerskins and supplies, operating an iron forge and buying and selling land.

But their business abilities were never really tested until they began to speculate in the lands in the New Hampshire Grants. They had the choice, among others, of remaining in Connecticut in comparative obscurity, fitting themselves into a relatively static economy, or moving to the New England frontier in the hope of becoming business men on a much larger scale. By 1770 Ethan was in the Grants buying rights to land held under New Hampshire title. His brothers soon followed. Before long they were reckoned the most enterprising, if not the most scrupulous, men in the Grants.<sup>5</sup> Timid land speculators had petitioned New York to confirm their New Hampshire titles and in other ways had demonstrated that they were disposed to settle down quietly under the jurisdiction of New York. The Allens were not so dis-

5. Pell, J., *Ethan Allen* (New York and Boston, 1929), 20-21; Wilbur, James B., *Ira Allen, Founder of Vermont* (New York and Boston, 1928), 2 vols., I, 1-59.





posed, because they believed that backcountry leaders could be more than a match for those of the seaboard. They lacked the capital to secure grants from New York and even funds sufficient to secure confirmatory patents. Instead, they decided to buy New Hampshire titles, the price of which had rapidly declined after the Privy Council decision of 1764. They hoped that something would turn up which would transform their bold speculation in New Hampshire titles into a solid and substantial investment.

Although the Allens had embarked upon what seemed an unwise business venture, they were far-seeing enough to center their activities along the eastern shore of Lake Champlain. The western shore offered only a relatively small strip of arable land between the lake and the Adirondacks. The eastern shore, however, had a broad strip of tillable land between the lake and the Green Mountains. "All ye towns upon ye Lake Champlain and for three teer back," declared Nathan Perkins in 1789, "[are] ye best sort of land."<sup>6</sup> Furthermore, the Allens recognized that the Champlain Valley, far from being isolated from a good and convenient market, was connected by the lake and the Richelieu with the St. Lawrence and its river ports. Of the three sections of the Grants, the Champlain Valley was the least remote from tidewater. Lumber, potash, grain and other articles produced on the frontier could be slowly rafted or transported by sloop down the lake to the Province of Quebec, where they could be exchanged for British or European manufactures which in conformity with the Navigation Acts had to be imported first to the British Isles.

Ira refuted in 1776 the arguments advanced by Lieutenant-Governor Colden of New York that the Grants would find New York a more convenient trading center than any other. Colden had informed the British authorities, he said, that the inhabitants of the New Hampshire Grants would greatly benefit by being under New York's jurisdiction and that the river would afford a natural boundary line between New York and New Hampshire. He had represented further that the Hudson River "was navigable a great way into the country, and the situation of the New Hampshire

6. Perkins, Nathan. *A Narrative of a Tour Through the State of Vermont, from April 27, to June 12, 1789* (Woodstock, 1920), 17.





Grants was such as would naturally constitute that river the center of trade and commerce." As a result, it would be more convenient from the point of view of commerce for the inhabitants to be attached to New York. Ira declared that Colden's representations "were fallacious as any person acquainted with the geographic situation of the New Hampshire Grants would agree." He acknowledged that the Hudson would be the center of trade for the Southwest, but for the greater part of the New Hampshire Grants, "... their remote situation from Hudson's River, navigation in Connecticut River and the eastern sea-ports ... the contiguousness thereof to Lake Champlain, Chamblee, Montreal on the River St. Lawrence, etc., will naturally constitute them the center of trade for the inhabitants hereof."<sup>7</sup>

On the same occasion Ira stated that self-interest was the major reason for the reassertion by Yorkers of their authority in the Grants. If it had not been for the "sake of profit to themselves, it is not likely they would have ever troubled his Majesty on this subject, and if they had done it in the simplicity of their hearts, to accommodate the inhabitants in general as to trade, etc., they would have solicited his Majesty to annex said district to the Province of Quebec."<sup>8</sup> Even the Missisquoi Indians living in the Champlain Valley opposed New York's jurisdiction. They did not welcome traders from New York because they were close enough to Montreal for all their needs and they opposed their transfer from the jurisdiction of Quebec to New York, complaining "they will then be obliged to go to Albany the nearest Court of Justice to obtain redress of any grievance, which will be a very new scene to them, besides the Length of the Journey."<sup>9</sup>

The Allens, like the Indians, responded to geography. They decided to make the east shore of Lake Champlain the center of their landed and commercial activities because it lay conveniently near the commercial marts of the long-settled Province of Quebec. Ira advised his brother, Heman, to abandon the region near Skenesborough for the vicinity of the present site of Burlington.<sup>10</sup>

7. *Records of the Governor and Council of the State of Vermont*, I, 383.

8. Wilbur, *op. cit.*, II, 466.

9. P. A. C., *Governor-General Papers (Q)*, III, 393.

10. Wilbur, *op. cit.*, I, 53.





Upon Ira's arrival in the Grants he had invested in lands in the interior, but as the advantages of the lake became clear, he made haste to abandon these lands for others on the shore of the lake. He wrote to his brother, Zimri, to sell the lands in Poultney, Castleton and Hubbardton, "the whole, or in any part that will command ready pay, or that could be realized early the next winter, to apply to the purchase of lands contiguous to Onion River and Lake Champlain; for that was the country my soul delighted in and where, at all events, I was determined to make settlement."<sup>11</sup>

In settling near the Onion River, now the Winooski, the Allens had shown that they saw the advantages afforded by the river to the speculator, the merchant and the timber and potash dealer. The Onion, rising east of the Green Mountains and flowing west through a gap north of Camel's Hump, provides access to the Champlain Valley and by Lake Champlain and the Richelieu to the St. Lawrence. A port near the mouth of the Onion could therefore be established as the leading center for the collection of raw materials from the Grants for shipment to Quebec and as a center of distribution in the Grants of manufactures purchased in Quebec.

To make real these possibilities, the Allens joined their cousin, Remember Baker, in forming the Onion River Land Company in 1773. The company could be so designated only by ignoring the fact that it had "no written capital or stated contract."<sup>12</sup> Soon the Allens had under their control a large acreage under New Hampshire title in the Champlain Valley. Exaggerated rumors were circulated as to the extent of their land-holdings. It has been estimated that they secured one third of all land lying between the lake and the Green Mountains and it has been said that hardly a town in the valley was not controlled in one way or another by the ramifications of this so-called company. Until an historian makes an exhaustive examination of the many records of Vermont towns, the extent of their holdings cannot be accurately determined. It appears clear, however, that these estimates

11. Wilbur, *op. cit.*, I, 53.

12. Vermont Historical Society, *Ira Allen Papers*, Memorial to the Supreme Court of the State of Vermont.





are exaggerated. A plaintiff in a suit against Ira in 1802 estimated that between 1773 and 1775 the Onion River Land Company owned 77,622 acres.<sup>13</sup> Because the New Hampshire title to these lands was not recognized by New York, the company was founded upon hopes for the future instead of upon the realities of the present.

The company was rent by internal quarrels. Ira relates that he and his associates met in Sheffield, Connecticut, in March, 1775, to settle accounts. "Some disputes arose and their accounts were not all liquidated, yet they verbally agreed to continue sd. business & parting without agreeing what share each should have of such land and meet again in March, 1776."<sup>14</sup>

Meanwhile, the Allens proceeded to advertise the sale of their land in a New England newspaper. On May 29, 1773, an advertisement in the *Connecticut Courant* of Hartford, offered 45,000 acres for sale and enumerated the advantages of purchasing these lands. According to it, the lands afforded good fishing, especially salmon, choice bottom or intervale lands, good wheat land on higher tracts and the great advantage of excellent navigation and market facilities. Despite these vigorous promotional activities, the company did not reap much financial advantage before the Revolution. Nevertheless, the Onion River Land Company contributed to the growth of a Champlain Valley economy.

Prior to the Revolution, inhabitants in the Champlain Valley demonstrated that Montreal and Quebec, instead of American commercial towns, were the markets for the valley. As in the Connecticut Valley, the most important commercial activity was lumbering. Upon the intervalles grew oak, butternut, elm and walnut; upon the "plain land," pine; upon "medium" land, beech, birch and maple; in the swamps, cedar; upon the mountains, hemlock, spruce and fir.<sup>15</sup> Before the enforced withdrawal of the French in 1763, the settlers had begun to utilize the timber resources of the valley. As early as 1740, timber had been rafted down the Richelieu, whose obstructions had been partly removed by powder

13. Vermont, Office of the Secretary of State, *Surveyor-General Papers*, XV, 328-331.

14. *Ira Allen Papers*, Memorial to the Supreme Court of the State of Vermont.

15. Defebaugh, J. E., *History of the Lumber Industry of America* (Chicago, 1906-1907), 2 vols., II, 149.





charges.<sup>16</sup> After 1763, this timber trade fell into the hands of Britons and colonials. Before the Revolution, they laid the foundations for the great timber and lumber trade of the post-revolutionary years. H. J. Cramahé, a Quebec official, reported on November 18, 1771, that the bulk of the oak staves exported from Quebec had been cut in the Champlain Valley, but that the business was conducted largely by inhabitants of the province who transported the staves down the Richelieu River. He gave as his opinion that oak staves might eventually loom large in the export trade of the province. He stated that during the season of 1771, one hundred and fifty thousand staves had been transported to Great Britain.<sup>17</sup> This trade was hampered, however, by lack of shipping and by the failure of the Quebec timber merchants to qualify for the bounty which was offered in 1771 by meeting the specification that staves must be two inches thick along the thinnest edge.<sup>18</sup>

To protect timber fit for the use of the British navy, Governor James Murray of Quebec appointed in 1766 Francis McKay as Surveyor of the Woods in Quebec and as "far as Niagara and Crown Point."<sup>19</sup> McKay found the timber resources of the valley abundant. He reported in 1768 that he had marked in the La-moille River Valley five hundred red pine and cypress and one hundred white pine with the Broad Arrow.

The lawlessness of which Wentworth complained in the Connecticut Valley, was present also in the Champlain Valley.<sup>20</sup> The inspector appointed by Quebec more than once battled timber thieves, many of whom were not apprehended because, when Wentworth appointed his own inspector for the valley, he instructed him not to seize timber but only to obtain information "what trees are cut and destroyed, when where by whom under what authority to whom sold by whom and in what ship exported and to what place with any other Circumstances and Proof you can collect."<sup>21</sup>

16. Innis, Mary Q., *An Economic History of Canada* (Toronto, 1935), 66-67; Lower, A. R. M., "The Forest in New France," *Report of the Canadian Historical Association*, 1928, 78-90.

17. Q, VII, 87-89.

18. Q, VIII, 84-86; C. O. 42, V. 236-237.

19. S, XIII, 55.

20. *Quebec Gazette*, May 12, 1768; P. A. C., *Shelburne Papers*, LVII, 693-696.





The trials of the inspectors are well illustrated by a memorial presented to Governor Carleton of Quebec on July 31, 1767. McKay had entered into an agreement with a London firm to furnish masts. He procured two hundred yellow pine masts in the Champlain Valley and brought them, at the cost of much labor and expense, to Wolfe's Cove at Quebec to be squared and prepared for shipment. He related that his journey had been interrupted by attacks of one Benjamin Price, Daniel Robertson and others, who alleged that the masts had been cut on their property.<sup>22</sup>

The commercial activities in the Champlain Valley stimulated the inhabitants there and elsewhere to improve the natural routes for trade with the Province of Quebec by the building of roads. These projects fitted into a larger scheme which was proposed to provide a direct and convenient route from the New England seaboard and the Province of New York to Quebec. In the spring of 1769 the *Quebec Gazette* announced the opening of a road from Skenesborough to the Albany Road near Fort Edward on the Hudson, and reported that "new bridges are thrown over the Rivers and Creeks in this Road, so as to render it a very safe, easy and convenient Way for Traveling to and from Canada." At Skenesborough, connection could be made with a Packet-boat which every fortnight made a trip to and from St. Johns on the Richelieu.<sup>23</sup> By 1774, mails were collected in Montreal every Monday, to be forwarded every Wednesday evening to the Champlain Valley and Albany. "For the convenience of all persons who may have concerns on Lake Champlain, or between the Lake and Albany," reported the *Quebec Gazette* on December 29, 1774, "an office is established at Crown Point, and another at Fort Edward."

An attempt to connect the Grants more closely with Quebec was made in 1770. Samuel Sleeper of Newbury in Gloucester County petitioned Quebec for financial aid to cut a road from Gloucester County to the Lamoille River which empties into Lake Champlain. The situation of Gloucester and the other counties, said Sleeper, made it very arduous and expensive to secure sup-

21. New Hampshire Historical Society, *Wentworth Transcripts*, Wentworth to John Loring, Jr., July 10, 1767.

22. S. XIII, 55.

23. *Quebec Gazette*, April 6, 1769.





plies in southeastern New England and in New York and very impractical for the settlers to send their products to any but the Quebec market because they were so bulky. "Quebec by nature," he said, "is the Port of Exportation for the produce of the extensive settlements above named, and their supplies of Salt, Rum, and all West India commodities, and British manufactures must come from this Province; and as the Inhabitants in those new counties increase in an amazing degree, it may appear very obvious to every person, that a communication as above narrated, would tend greatly to the advantage of this Colony as it would have the immediate supplying of the different Counties already mentioned."<sup>24</sup>

This petition was favorably received by the merchants of Quebec because they recognized the benefits of such a road to their commercial interests. Since 1763 these merchants had attained a large measure of prosperity by taking advantage of the commercial opportunities afforded by the vast watershed of the St. Lawrence. It made tributary to Montreal and Quebec a great portion of the interior of the continent. The geographic advantages which the French had enjoyed were enhanced after the conquest by the advantages which British traders had always enjoyed in commanding low cost manufactures. These traders also reaped great benefit by employing French Canadian trappers who were wise in the ways of the Indians and the beaver. After 1763, all of these enabled Montreal to eclipse even further the fur trade based on the Hudson.<sup>25</sup> As a result, the beaver trade of much of the interior centered, as had been anticipated, in Montreal. Montreal was the heart of "the Commercial Empire of the St. Lawrence."<sup>26</sup>

The arrival of settlers upon that part of the New England frontier lying within or adjacent to the St. Lawrence watershed promised to provide Canadian merchants with a prosperous trade in lumber and farm products, both of which would supplement the already firmly established trade in furs. On November 10, 1770, Sleeper's petition was read in the Council Chamber in

24. Q, VIII, 15-17.

25. See the superb study by Donald G. Creighton, *The Commercial Empire of the St. Lawrence, 1760-1850* (New Haven, 1937), 1-55.

26. *Ibid.*, 7, 11.





Quebec. The Council decided that it could not legally grant provincial funds for the building of a road outside the province; but it agreed, inasmuch as it might be very beneficial to Canadian trade, to set on foot a subscription to help build that part of the road lying south of the boundary between Quebec and New York.<sup>27</sup> The Council's refusal to subscribe public funds was commended by Hillsborough who declared that, though the building of roads was very desirable, the funds to be used to build them outside the province must be privately subscribed.<sup>28</sup> During the next two months, Canadian merchants responded by contributing about 60£. The road, however, was indefinitely delayed after Sleeper succumbed to smallpox during the winter of 1770-1771.<sup>29</sup>

The third pre-revolutionary attempt to tie the Grants to Quebec was made by Jacob Bayley, another but more prominent settler of Newbury. He proposed to cut a road from the Coos Country of the upper Connecticut Valley to Quebec. Like the Sleeper proposal, Bayley's was still-born.<sup>30</sup> But an attempt to connect Skenesborough with Boston by road was successful. On March 8, 1770, the *Quebec Gazette* reported the opening of a road fit for sleighs and ready for carriages the following spring.

Thus before the Revolution, the rough outlines of the transportation routes connecting Quebec and the middle and New England colonies had been sketched; the trade in timber, dry goods and groceries was growing. Clearly, the inhabitants of the valley, during the short time at their disposal before the outbreak of the Revolution, were benefitting from the British occupation of the St. Lawrence. Whether Quebec was under British or French rule, whether the valley was occupied by Indians, French habitants or their Yankee equivalents, none ignored the commercial opportunities afforded by geography. It encouraged the settler to trade with Quebec rather than with New York. The geography of the valley, as well as the dispute over land titles, helps to explain the hostile attitude of the Allens, and many other inhabitants of the Grants, toward New York.

27. Q, VIII, 12-13.

28. *Ibid.*, 20-21.

29. *Ibid.*, 9-11.

30. V. H. S., *Manuscript Collections*, Bayley to John McKesson, Sept. 22, 1772.





## Backcountry Versus Seaboard

"Laws and society-compacts were originally designed," declared Ethan Allen, "to protect the subjects in their property."<sup>1</sup> The corollary of this doctrine is the right of revolution if property rights are violated. The Allens' appeal to the right of revolution helped them to achieve the leadership of those forces which had already defied New York's authority by rioting and closing courts. Like so many other patriots who joined the Revolution, they had grown up in a society which believed in liberty and was beginning to believe in equality. These beliefs helped prepare the way for conflict not only between the colonies and Great Britain, but also within the colonies. The revolutionary ferment of the times provided the Allens with the political opportunities for which they had been groping. It appears quite clear that there was a distinct correlation between the political democracy which they championed and their more immediate economic objectives.

The foundation of the Allens' resistance to New York was their rejection of New York's interpretation of the Privy Council decision of 1764. They maintained that this decision transferred jurisdiction over the Grants from New Hampshire to New York rather than reaffirmed New York's original jurisdiction as granted by the Royal Charter of 1664. They admitted that New Hampshire titles would be null and void if New York had been legally empowered to grant these lands after 1664. If the soundness of the Privy Council decision be granted, it is easy to understand why the Allens were forced to deny all authority exercised by New York and to resort to insurrection in order to protect what they claimed were their rights. Ethan eschewed the legal issues involved. One settler reported that Ethan "swore by himself that the man who should presume to make use of *Law-Logick* should be cut off from among *his People*."<sup>2</sup>

1. *Records of the Governor and Council of the State of Vermont*, I, 512.

2. New York State Library, *Stevens Miscellaneous*, Stephen Jacob to Ezra Stiles, July 7, 1780.





To force acceptance of his interpretation that the decision of 1764 transferred jurisdiction from New Hampshire to New York, Ethan organized a band of insurrectionists known as the Green Mountain Boys. In later years, historians have tended to minimize the violence of their exploits by calling attention to the fact that the band was responsible for surprisingly little bloodshed. One cannot help believing that the leader capitalized on his bluster, swagger and oaths in order to bring settlers to the support of the Onion River Land Company. In this he was successful. He emerged as the one member of the family group capable of capturing the imagination of settlers who were dissatisfied with Yorker control.

His band made its debut in 1772, spreading consternation among Yorkers in the Grants. "One Ethan Allen hath brought from Connecticut," wrote Benjamin Spencer to James Duane, a prominent absentee owner of lands in the Grants, "twelve or fifteen of the most Blackguard Fellows he can get. Double armed in order to protect him and if some method is not taken to subdue the towns of Bennington, Shaftsbury, Arlington, Manchester and those people in Socialborough and others scattered about the woods there as good be an end of government."<sup>3</sup>

In the beginning, the purpose of the Allens was to intimidate New York into making substantial concessions to them and other inhabitants of the Grants. They were determined to secure confirmation of the New Hampshire titles by New York without expenditure on their part, or to make it so unpleasant for all Yorkers that New York would be forced to recognize their titles. In pursuit of this aim, the band descended upon agents of New York speculators and upon settlers on New York grants. A barn was pulled down, and Yorkers were whipped and driven into the woods. Popular hostility to Yorkers was fanned to a white heat.

Nevertheless, these activities failed to achieve their purpose. New York was never willing to meet the minimum demands of the Allens, because the colony did not recognize the legality of their land titles. New York made a proposal in the early seventies to quiet the inhabitants; but the Allens rejected it. They refused to abide by an agreement made in 1772 by Grants settlers and

3. V. H. S., *Jones Photostats*, Benjamin Spencer to James Duane, April 11, 1772.





New York authorities to maintain the *status quo*. In June of that year, Stephen and Jonas Fay, two early leaders of the land speculators of the Southwest, agreed that in return for New York's suspending all suits and criminal prosecutions until the King made known his pleasure, they would vouch for the good behavior of the inhabitants of the Grants. Here was a sensible attempt upon the part of the two warring factions to suspend hostilities until clarifying instructions should arrive from Great Britain. Before the Fays left New York, the Allens, thriving on political chaos, broke the truce by driving some Yorkers from their lands on Otter Creek.<sup>4</sup>

The increased resistance to New York after the coming of the Allens to the Grants did not escape the attention of the government of New York. Heretofore the resistance of the speculators had been carried on largely by tavern and drawing room argumentation, and by political wire-pulling on both sides of the Atlantic. Upheavals in the Grants had resulted largely from the settlers' hostility to the Broad Arrow or to the New York Courts. The Allens in their resistance to New York employed the same tactics to protect their land which had been used by the settlers who had revolted against the New York Courts.

As Governor Tryon of New York and his Council were increasingly alarmed by the Allens' leadership, they sought means of destroying their influence. Backcountry resistance to the seaboard had been broken by the use of troops before, notably during Bacon's Rebellion in Virginia in 1676 and the Regulators' War in North Carolina in 1771. Governor Tryon, who had quelled the frontier rebellion in North Carolina, faced a similar situation after he became Governor of New York; but he was never able to deal in the same way with the insurrection in the Grants. A short while before the truce of 1772, William Smith had advised sending troops; but Tryon and the other members of the Council overruled him.<sup>5</sup> Instead, Tryon entered into the truce with the Fays. Not until the truce was broken by the Allens did Tryon see the need to use force.

4. Jones, *Vermont in the Making*, 300-304.

5. N. Y. P. L., *Smith Diary*, Oct. 21, 1772.





Shortly thereafter, he wrote Lord Dartmouth, at this time Secretary of State for the Colonies, requesting permission to send troops to the Grants to quell the rioters. Dartmouth refused Tryon's request. He commended him for not having used force without his permission because "His Majesty would have disapproved such conduct." William Smith was shocked by Dartmouth's reply. "This is a fatal Blunder of this Minister," he recorded in his diary, "for the New Hampshire claim<sup>5</sup> will crowd the Lands to the subversion of our Titles, while at the same time, the Jurisdiction of this Province [is] a meer Idea and the Country remains in a worse state than if subjected to New Hampshire."<sup>6</sup> The last pre-Revolutionary request to use force was denied in September, 1774, when General Gage refused Tryon's second request for troops—"which puts an end," said Smith, "to the intention of forcing Peace in that Quarter."<sup>7</sup>

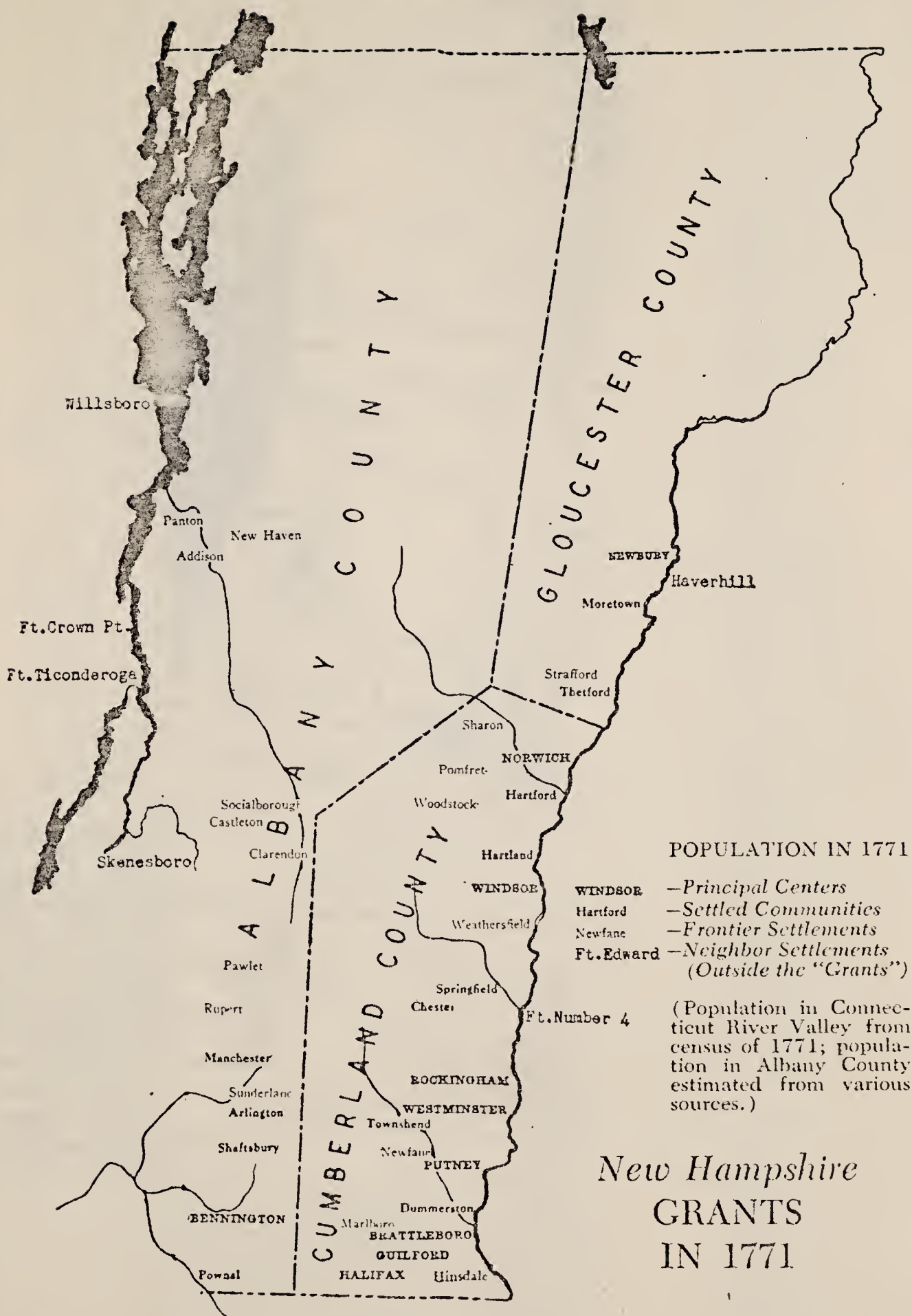
New York failed not only to enforce its authority in the Grants, but also to put into effect a proposal by Smith and Tryon which was designed to end the land title dispute. Smith suggested that substantial justice might be done to both parties by New York's abandoning the collection of quitrents, confirming New Hampshire titles where claimed by actual settlers and indemnifying speculators in New Hampshire titles with lands not yet granted in the Province of New York.<sup>8</sup> In 1773, on behalf of the British government, Lord Dartmouth made a proposal to solve the dispute by vacating all patents on which the stated conditions for settlement had not been fulfilled and by appointing a commission composed of men from the other colonies to arbitrate the conflicting claims. In order to forestall this intervention of the British government in a manner threatening to the interests of Yorker speculators, Smith composed a letter of protest to Dartmouth which Tryon signed. "I shall only add myself," wrote Smith, "that scarce any Measure can raise a more general Disgust, in this Colony, than a Law to vacate Patents for nonsettlement. . . ." The "dread of a Precedent of this kind," he said, "will unite all the

6. *Ibid.*, Dec. 29, 1773.

7. *Ibid.*, Sept. 29, 1774.

8. N.Y.P.L., *Smith Papers*, Smith to Carlisle, no date; *Smith Diary*, 1772-1778, *passim*.





Albany





A detailed historical map of the Province of New Hampshire. The map shows the coastline of the state, with numerous towns and cities labeled, including Portsmouth, Dover, Manchester, and Concord. Major rivers like the Merrimack and Androscoggin are depicted. The word "PROVINCE" is written in large, bold letters across the center of the map. Surrounding regions are also labeled, such as "New York" to the west and "Massachusetts" to the south. The map is oriented with North at the top.

Humberland  
Spokane, Idaho

I R E

seph Sauthier,  
ed by David  
n, 1849

the most de-  
land grants in  
rn New York  
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which ignores the Grants, was one the circulated maps of The cartographer pl (in the bend of t River) placing the shire grants in New earlier editions had included shire. 1765—





“Map of the Most Inhabited  
Part of New England,”

which ignores the New York Grants, was one of the most widely circulated maps of the period. The cartographer places a note (in the bend of the Hudson River) placing the New Hampshire grants in New York. But earlier editions had implicitly included this land in New Hampshire. Many other maps—before 1765—had done the same.











CHOROGRAPHICAL MAP  
OF THE  
PROVINCE OF NEW YORK

By Claude Joseph Sauthier,  
1779, as copied by David  
Vaughan, 1849

This is by far the most de-  
tailed map of land grants in  
the northeastern New York  
counties, and shows the New  
York grants as few others do.

PART OF





Landholders to oppose a Project so alarming to their interests.”<sup>9</sup>

The failure of New York either to use force or to adopt Smith's or Dartmouth's proposals had the effect of emboldening the Allens on the one hand, and, on the other, of keeping the inhabitants in the Grants in a state of uncertainty. If New York could not enforce its authority nor secure the aid of the British government, what was to hinder the Allens from taking governmental authority in their own hands, and with the support of the exasperated settlers separate the Grants from New York? The idea of the independence of the Grants did not originate with the Allens. As early as 1769, a number of land-speculators had petitioned the British government to establish the Grants as a separate colony. They contemplated making Ford Edward the seat of government and were said to be very sanguine that the petition would be granted.<sup>10</sup>

Although their petition was not granted, the idea of a separate jurisdiction for the Grants was not forgotten. The Allens professed to believe that on the eve of the Revolution Philip Skene had been made Governor of a new province confined to the Champlain Valley. The facts are that Skene had been appointed by Gage “Lieutenant-Governor” of Crown Point and other forts in the valley; but that he had been made governor of a new province has not been proved. The Allens, however, placed much store in their belief that a Champlain Valley province had been established. They reported that Skene had been seized in Philadelphia in June of 1775, and that a commission as Governor of Crown Point, Ticonderoga, the Lakes, and Surveyor of the Woods had been found on his person. “Had he succeeded,” wrote Ira, “the people who settled under the royal grants of New Hampshire would have been quiet and relieved from the oppressive conduct of New York.”<sup>11</sup> In the Germain Papers in the W. L. Clements Library there are two unsigned communications which hint of such a project. One, dated 1775, suggests that Quebec and the region as far south as Lake George should be established as a separate province. The other, dated 1776, recommended that Scotch High-

9. *Smith Papers*, Tryon to Dartmouth, July, 1773.

10. Vermont, Office of the Secretary of State, *Manuscript State Papers*, III, 133.

11. V. H. S., *Collections*, I, 361. See also Burnett, E. C., *The Continental Congress* (New York, 1941), 72-73.





landers be settled in the Champlain Valley. These settlers, the writer said, would cooperate whole-heartedly with the French Canadians and the Indians against the New England settlers and thereby help "preserve an extensive Country under the influence of the Crown," which otherwise in a short time might be filled with disaffected New Englanders. The writer concluded by stating that the Yankees must not be permitted to spill over the Green Mountains into the Champlain Valley.

The desire of the Allens to free themselves from the jurisdiction of New York could not be realized until after the outbreak of the Revolution. The overthrow of British authority in the American colonies provided a magnificent opportunity for the Allens to use their political techniques. We shall see that the Allens, by erecting a state independent of New York, showed themselves to be statesmen. Their success was due in part to the alienation of the rank and file of the settlers from New York, and to the intelligent and resourceful manner in which they guided these disaffected settlers towards the goal they had set—independence.

In the sixties and early seventies the Grants inhabitants considered themselves greatly exploited by New York. Could they expect a change of attitude after New York joined the Revolution? Would New York now support peaceful change which would redress the popular grievances, or would the provincial government, while attempting to overthrow British authority, maintain its former attitude towards the Grants? In anticipation, it can be said that in New York neither the faction which became loyalist nor the faction which became rebel adopted measures of reform during the critical year of 1775. The failure of either faction to adopt reform measures was undoubtedly due to the fact that Yorkers holding land in the Grants under New York title were prominent in both factions. For example, Colden, Smith, Kemp and other land-owners became loyalists; but George Clinton, prominent lawyer and first governor of the state of New York, and John Morin Scott of the Sons of Liberty and others became rebels. The attitude of residents of New York owning lands under New York title in the Grants was seldom, if ever, changed by the Revolution. Loyalist and rebel Yorkers fought and killed one an-





other on the battlefields of the Revolution; but these same Yorkers were united in their hostility towards the revolution against New York which was occurring simultaneously in the Grants.

The struggle between the Grants inhabitants and New York entered its final phase after the passage of the Intolerable Acts in 1774. The beginning of the overthrow of New York's authority was occasioned by the protests of its merchants against these acts. These merchants held conventions to demand redress of grievances and to demonstrate intercolonial solidarity by coercing Great Britain with non-import and non-consumption agreements.<sup>12</sup> By seeking the cooperation of the inhabitants of the Grants in these retaliatory measures, seaboard New York gave them opportunity to protest not only against Great Britain, but also against itself. Yorkers in the Grants who remained loyal to New York perceived this clearly. They feared that a demonstration against Great Britain could be transformed into a demonstration against New York. When Isaac Low of the New York Committee of Correspondence dispatched a letter to Cumberland County Yorkers urging the inhabitants as a whole to protest against the Intolerable Acts, they moved heaven and earth to keep the letter from the public.<sup>13</sup> By some means, Reuben Jones, the religious "fanatick," discovered its presence and forced it out of hiding. Jones was angry at the secretiveness of the Yorker conservatives and demanded an explanation. As he later recorded, some pleaded ignorance, "some one thing and some another . . . but most of them did seem to think that they could send a return to committee at New York, without ever laying it before their constituents; which principle, at this day, so much prevails that it is the undoing of the people."<sup>14</sup>

As a result of Jones' activities, the conservatives were forced to call a convention in Cumberland County which met on October 14, 1774. Since Reuben Jones and other opponents of New York were unable to dominate it, the reply to Low's letter of the committee appointed by the convention was naturally conservative

12. See Schlesinger, A. M., *The Colonial Merchants and the American Revolution* (New York, 1918).

13. Hall, *History of Eastern Vermont*, I, 197-198.

14. *Ibid.*, 197.





in tone. While deploring the British acts and voicing the patriotic doctrines of the moment, it advised against the use of violence. The proper mode of resisting the British, the committee declared, consists "in a uniform, manly, steady, and determined mode of procedure." It concluded by stating that "we will bear testimony against and discourage all riotous, tumultuous and unnecessary mobs which tend to injure the persons or property of harmless individuals."<sup>15</sup>

A hint of the eventual downfall of the conservative Yorkers in the Grants was given in the instructions which the inhabitants of the town of Chester sent with their delegation to this convention. They mirror local grievances which agitated the debt-ridden inhabitants, rather than the imperial grievances which set Yorkers elsewhere against Great Britain. The Chester instructions lumped together grievances against Great Britain and those against the operation of the New York Courts in the Grants. "People of America are Naturally intituled to all priviledges of Free Borne Subjects of Great Britain . . ." declared the instructions, "that Every Man's Estate, Honestly acquired, is his own, and no person on earth has a Right to take it away without the Proprietor's Consent, unless he forfeit it by some crime of his committing . . ."<sup>16</sup>

Soon after this convention, the inhabitants of the town of Dummerston demonstrated their great dissatisfaction with the Quebec Act of 1774. This act was the British solution for the grave problem of governing the Province of Quebec. The problem was a dual one, racial and economic. How were British institutions to be adapted to Roman Catholicism and to the alien speech and social institutions of the French inhabitants? How was the merchant community, largely British, to cooperate in solving this problem? Governor after governor wrestled with it but with only slight success. Furthermore, the regulation of Quebec's fur trade in the interior affected the interests of the seaboard colonies whose inhabitants were deeply concerned, not only with the fur trade, but also with the lands of the Great Lakes basin and the Mississippi Valley.

15. *Records of the Governor and Council of the State of Vermont*, I, 318-319.

16. Hall, *op. cit.*, 197-198.





All efforts since the fall of New France to reconcile these conflicting interests had failed. As early as 1763, the British issued the Royal Proclamation forbidding settlement west of the Alleghenies and regulating the fur trade; but it was unsatisfactory. Earlier in 1754 the Albany Congress had endeavoured to provide an inter-colonial solution for these problems; but it failed. Since 1763, no satisfactory compromise of these conflicting interests had been made.<sup>17</sup> Not until 1774 did the British Parliament pass an act designed to solve them. The Quebec Act of that year annexed the lands lying between the Ohio and the Mississippi to Quebec, granted the free exercise of the Catholic religion to the French Canadians and withdrew the promise contained in the Royal Proclamation of 1763 to establish an assembly. If this promise had been kept, the unenfranchised French Canadian majority would have been subjected to the British minority which alone could exercise the right of suffrage.

The larger significance of this act lay in its impetus to revolution among the inhabitants of the American seaboard. The section of the act allowing French Canadians freedom of Catholic worship was denounced by the American colonists as catering to Roman Catholicism, the sections which withdrew the promise of an assembly they deemed arbitrary and oppressive, and the section annexing the lands between the Ohio and the Mississippi to Quebec they regarded as destroying the charter rights of the seaboard colonies to western lands. The commotion which the act aroused was in part due to misrepresentation of its purposes by propagandists among the American colonists. The act expressly declared that "nothing herein contained relative to the boundary of the Province of Quebec shall in any wise affect the boundaries of any other colony."<sup>18</sup>

Accepting the colonial interpretation of the act, one inhabitant of Dummerston, Leonard Spaulding, declared that George III had broken his coronation oath by establishing Roman Catholicism in Quebec. He was immediately accused of *lèse majesté* and

17. See Gipson, *The British Empire Before the American Revolution*, V, 113-166; Alvord, C. W., *The Mississippi Valley in British Politics* (Cleveland, 1917), 2 vols.; Creighton, *The Commercial Empire of the St. Lawrence*, 42-59.

18. Morison, S. E. (ed.), *Sources and Documents illustrating the American Revolution* (Oxford, 1923), 104.





pitched into jail.<sup>19</sup> One of his jailers was Crean Brush, the conservative Yorker. The next day, the inhabitants of the town formed a committee in order to protect themselves from the exactions and usurpations of their tyrannical king and his Yorker supporters. Eleven days later, members of this committee opened the jail and released Spaulding, later justifying their action in the following manner:

The plain truth is, that the brave sons of freedom whose patience was worn out with the inhuman insults of the imps of power, grew sick of diving after redress in a legal way, & finding that the Law was only made use of for the Emolument of its Cretures & the immessaies of the British Tyrant, resolved upon an Easier Method, and accordingly Opened the gaol without Key or Lockpicker, and after Congratulating Mr. Spaulding upon the recovery of his freedom, Dispersed every man. . . . The afforgoing is a true and short relation of that Wicked affair of the New York Cut throatly, Jacobitish, High Church, Toretical minions of George the third, the pope of Canada & tyrant of Britain.<sup>20</sup>

The next occasion for a test of radical strength in the Grants came on November 30, 1774, when another convention was called by Cumberland County conservatives to adopt non-importation and non-consumption of British goods in retaliation for the Intolerable Acts. Although the convention voted to support economic coercion of Great Britain it refused to adopt adequate measures to enforce it. One conservative deemed it "impertinent" for radicals to attempt even to secure the appointment of a committee of inspection to enforce non-import and non-consumption.<sup>21</sup>

This conservative victory was the last one in or out of any convention in the Grants. Henceforth, the radicals gained strength rapidly. On February 7, 1775, they were able to control a Cumberland County convention for the first time and, as might be expected, they lodged greater protests against the Yorkers than against the British. Among their complaints were the great expense placed upon the inhabitants by the courts; the large in-

19. *Records*, I, 154n.

20. *Ibid.*, 320.

21. Hall, *op. cit.*, I, 204.





crease in the number of lawsuits tried in these courts, the inconvenience and expense of attending from afar to serve as grand and petty jurors; the excessive salaries paid to their representatives in the New York Assembly and the extravagantly large fees demanded by and paid to attorneys—all of which were “very burthensome and grievous.”<sup>22</sup> Whether by design or neglect, this list of grievances never reached the proper authorities in New York.

The failure of New York to remedy these grievances helped to cause more outbreaks. On March 13, 14 and 15, 1775, a mob assembled to prevent the regular session of the Cumberland County Inferior Court of Common Pleas at the town of Westminster. In the ensuing *mêlée*, blood was shed.<sup>23</sup> The effect of this riot was disastrous. Such supporters of the court as the conservative Yorkers, Samuel Wells, Crean Brush, Luke Knoulton, the Lovells, and many others were henceforth to be execrated as the “Court Party.” The radicals were now encouraged to adopt a more defiant tone towards New York, where the political situation had been confused in the meantime by the election of an anti-British Provincial Congress to oppose the pro-British Assembly which was predominantly conservative. The Assembly, instead of adopting measures to quiet the inhabitants of Cumberland County, resolved to punish immediately the Westminster rioters. At the prompting of Brush and Wells, it voted a thousand pounds “to enable the inhabitants of the County of Cumberland to reinstate and maintain the administration of justice in that county, and for the suppression of riots.”<sup>24</sup> The effect of this act upon the Grants inhabitants was to intensify their resistance to the pro-British authority of New York. The collapse of the conservatives’ prestige and control was imminent in the Grants.

At the Cumberland and Gloucester Counties Convention which was held on April 11 at the scene of the riot, Westminster, the radicals were in control. The moderator of the convention was none other than Reuben Jones. The religious “fanaticks,” who believed that no government except that provided by the Bible was

22. *Ibid.*, 205-212.

23. *Ibid.*, 212-226.

24. *Ibid.*, 237-238.





necessary, had emerged as local leaders. They vowed to resist New York until it should provide protection for their lives and more adequate protection for their property or until the Crown could send an answer to their petition that the Grants be separated from New York and either annexed to another colony or established as a new province. Ethan Allen was appointed a member of the committee to prepare this petition to the Crown.<sup>25</sup>

These actions frightened the local conservatives who professed to believe that the Grants were now sunk in anarchy. The "Horrors of the people," declared Charles Phelps, "are Easier Conceived than expressed." He declared that the "Sober part of the County will not interfere Knowing that their Interference would occasion Murder and bloodshed." The other Yorker conservatives rallied anew to the support of the New York Courts, declaring them to be "the grand and only security of the life, liberty and property of the public," without which "persons and properties of individuals must at all Times be exposed to the Rage of a Riotous and Tumultuous Assembly."<sup>26</sup>

Nevertheless, some of the partisans of New York in the Grants continued to object to its treatment of the Grants people. Members of one of the Committees of Safety set up by Yorkers in Cumberland County boldly drew up a list of their grievances against New York. They declared in a letter to the New York anti-British Provincial Congress that they hoped it would not be angry at them because they were so jealous of their liberties, "especially when they consider that in times past, this County had been much imposed upon in having certain foreigners put into high places of emolument and honor in this County, to the great grief of virtuous and honest men."<sup>27</sup>

After the Westminster Riot, some of the formerly loyal Yorkers were willing to join the Yankee settlers in the Connecticut Valley and the settlers and speculators in the Southwest and in the Champlain Valley in opposition to New York. The support given by the conservative New York Assembly to the Court Party and

25. *Records*, I, 338-339.

26. Vermont, Office of the Secretary of State, *Stevens Transcripts*, II, 105-109; *Records of the Governor and Council of the State of Vermont*, I, 338.

27. Hall, *op. cit.*, I, 258-259.





the failure of the radical New York Provincial Congress to take time from more pressing matters to concern itself with the plight of either the speculators or the settlers destroyed most of New York's prestige in the Grants. Governor Colden, who predicted that settlers and speculators would combine against New York, was careful to draw a distinction between the interests of these two groups. In writing a full account of the Westminster affray to Dartmouth, he declared, "it is proper that your Lordship should be informed that the inhabitants of Cumberland County have not been made uneasy by any dispute about the Title to their land . . . . the Rioters have not pretended any such pretext for their conduct yet. . . . I make no doubt they will be joined by the Bennington Rioters, who will endeavour to make one common cause of it, though they have no connection but in their violence to Government."<sup>28</sup>

While the riotous settlers in the vicinity of Westminster were thinking more and more in terms of independence, other Grants inhabitants were seeking the solution of their particular problems. To the north of the region wracked by the Westminster riot lay the Coos Country, which was dominated by Jacob Bayley. The people of this region favored New Hampshire rather than New York. They had supported in the late seventeen-sixties a project to secure the annexation of all the Grants to New Hampshire. This project failed, largely because John Wentworth, by petitioning New York for the confirmation of the title to the lands held by his uncle had apparently abandoned the cause for which the elder Wentworth had labored.<sup>29</sup> In these circumstances, Bayley and his neighbors could not decide whether to affiliate with New York or with New Hampshire.

The outbreak of the Revolution might have afforded New Hampshire an opportunity to offer them better terms than those dictated to them by New York. These terms would have had to include, at a minimum, recognition of what the Coos Country people considered their political rights, particularly in regard to representation. New Hampshire political leaders, however, had no

28. Hall, *op. cit.*, I, 239-240.

29. Jones, *Vermont in the Making*, 218-219.





intention of meeting these terms. Indeed, Payne Wyngate, a correspondent of Jeremy Belknap, stated that the leaders of conservative coastal New Hampshire were glad to see the Grants under the jurisdiction of New York because "they feared the transfer of political power from east to west."<sup>30</sup>

This fear demonstrated that the relationship between seaboard and backcountry New Hampshire was as unhappy as that between seaboard and backcountry New York. For a generation before the outbreak of the Revolution, the leaders of seaboard New Hampshire had piled one grievance after another upon their backcountry settlers. A major grievance arose from the fact that seaboard owners of backcountry lands contributed little if anything to the settlement of the towns. Consequently, settlement of these lands, both costly and arduous, fell upon the settlers. As early as 1760, they had presented a petition to the Governor's Council of New Hampshire asking for the passage of a bill that would force absentee land-owners to pay their taxes because "many of said Proprietors not having drawn Lots others in arrears for back taxes and some Resting on their Oars leave the burthen of settling said Township [Chichester] to those who are Voluntary in doing the duty Knowing that their Estates there will be raised in Value by the Settlement tho' they Contribute nothing towards it."<sup>31</sup> On another occasion, other settlers actually quoted a governor of New York who stigmatized those grantees who had refused to contribute to the expenses of surveying, laying out and allotting lands as "Rider's Rights, meaning and intimating, that they Rode upon the Backs of the Poorer Settlers, and unreasonably expected their Lands exempted from taxes."<sup>32</sup> So angry were residents of Chester at Governor Wentworth and other absentee-owners of Chester lands for their failure to pay their taxes, that they sold at auction all but one hundred acres of their lands.<sup>33</sup>

Hostility to absentee proprietors was only one of the grievances of backcountry inhabitants against the seaboard. Like seaboard New York, seaboard New Hampshire exercised sovereign sway

30. Massachusetts Historical Society, *Collections* (6th Series), IV, 461-462.

31. *New Hampshire Provincial and State Papers*, IX, 126-127.

32. *New Hampshire Gazette*, July 24, 1767.

33. Jones, *op. cit.*, 52.





over the political and economic life of the entire province. It was determined not to admit the backcountry people into their equitable share of political influence. In the sixties, the backcountry wished to erect four new counties to increase its representation in the legislature. In the ensuing struggle with the seaboard, the backcountry was worsted. The uncompromising attitude of the seaboard made it anathema to the backcountry.<sup>34</sup> After the colony joined the Revolution, the seaboard leaders wrote in 1775 so conservative a constitution that they alienated the backcountry still more. This document was intended to perpetuate seaboard control. Real estate valued at twenty pounds was the qualification for the suffrage; candidates for the Continental Congress had to own property to the value of two hundred pounds, and, above all, the backcountry people thought they were not equitably represented in the legislature.<sup>35</sup>

Furthermore, the isolation of the inhabitants of the Grants from seaboard New Hampshire tended to make them still more aloof. Settlers in the upper Connecticut Valley on both sides of the river found it more convenient to trade with towns down the river than with Portsmouth on the seaboard.<sup>36</sup> The Wentworths knew that the commercial ties of the seaboard with the upper Connecticut Valley were not such as to draw them together. To bind together the various sections of the colony, Wentworth had planned to build four roads to divert trade from the lower Connecticut Valley to Portsmouth.<sup>37</sup>

The accumulation of grievances against seaboard New Hampshire no less than against seaboard New York provided the setting in which the Allens could exercise their skill in democratic and sectional politics. The Westminster Riot and the writing of the conservative New Hampshire Constitution, both of which occurred in the same year, convinced the inhabitants of the Grants that it was impossible to associate further with New York and impolitic to combine with New Hampshire and that they should declare their independence.

34. Upton, Richard F., *Revolutionary New Hampshire* (Hanover, 1936), 25, *passim*.

35. *Ibid.*, 177.

36. Mayo, John Wentworth, *Governor of New Hampshire, 1767-1775*, 32-42.

37. *Ibid.*, 39-42.



The Allens were not content to be passive spectators of political cross-currents in the Grants. On the contrary, they were determined to help the inhabitants achieve independence while at the same time serving their own interests. They aimed to repudiate all ties with New York and to establish an independent state which would validate the New Hampshire titles. They would take part in the American Revolution either in association with the Continental Congress, if possible, or as co-belligerents, if necessary, in order to conquer the Province of Quebec. Then, come what might, they would deal with whatever other sovereign authorities emerged from the contest in terms of their natural economic interest, that is, an advantageous commercial outlet to the world by way of the St. Lawrence.





# War and Independence

From 1775 to 1780 the Allens fought a war and made a revolution. The purpose of the war was the overthrow of British control of the St. Lawrence; the purpose of the revolution was the establishment of an independent state. If both had been successful, the Allens would have solved, in part at least, their political and economic problems.

After the affrays at Lexington and Concord the Allens were busy laying plans to liquidate British control of the valley. Everyone who has read any American history whatever recalls the stirring words alleged to have been spoken at Ticonderoga. Few persons, however, are acquainted with the stratagem by which the Allens seized the forts. Because Ticonderoga had burned in 1773 and was manned in the spring of 1775 by only a handful of British troops, it could be easily assaulted and captured. As early as March 29, 1775, John Brown, the Montreal agent of the Continental Congress, wrote Samuel Adams that it must be kept a profound secret that the New Hampshire Grants people were determined to seize Ticonderoga.<sup>1</sup>

Too circumspect to hazard a frontal attack on the fort, the Allens hatched a scheme by which the fort fell with a minimum risk to life and limb. It would appear from what Lord Dartmouth has said that the Allens approached the British officer in charge of Ticonderoga and in effect suggested to him that the disturbances at Boston should not disrupt the peace and good feeling between the representatives of British authority in the valley and the inhabitants of the Grants. After arranging a truce, the Allens hastened away, assembled the Green Mountain Boys and, with the cooperation of Benedict Arnold, just arrived from Massachusetts, swooped down upon the fort, taking it by surprise on May 10, 1775.

The British never forgave the Allens for this duplicity. Dart-

1. Vermont, Office of the Secretary of State, *Stevens Transcripts*, John Brown to Samuel Adams, I, 51-54; Pell, *Ethan Allen*, 74-75.





mouth, who was outraged, warned General Gage, "we must never trust to appearance, or give Credit to Declarations, and the Conduct of the People of Connecticut, who, in the Moment of their meditating and preparing for an expedition against Ticonderoga had the Affectation to propose a Suspension of Hostilities, is an instance of such consummate duplicity as ought to put us very much on our guard against such proposals."<sup>2</sup>

The day after Ticonderoga fell, Seth Warner seized Crown Point. Ethan then hastened to the New York Provincial Congress, hoping that his coup would so ingratiate his brothers and himself with patriotic Yorkers that their difficulties would evaporate in the ensuing outburst of satisfaction at their military triumphs. Prior to leaving the valley, he wrote the New York Provincial Congress that he indulged fond hope of a reconciliation with New York in resisting the common enemy, and suggested that the Congress form the Green Mountain Boys into a battalion.<sup>3</sup> Although New York agreed to pay and equip a regiment, it did not act. Indeed, the province was charged by one Asa Douglas with having recommended to the Continental Congress that the artillery and stores at the forts be moved to the south end of Lake George to keep them from falling into the Allens' hands.<sup>4</sup>

The suspicions of the Allens that the Yorkers were still hostile to them were seemingly confirmed when in July Major-General Philip Schuyler, a Yorker land-owner, arrived in the valley on orders from the Continental Congress to take command of the New York and New England troops and to prepare them for an invasion of the Canadian province. When it was launched in the first week of September, Ethan, alone of the Green Mountain Boys, participated. The boldness of his descent upon the province in advance of Schuyler's troops was due primarily to his conviction that Quebec's inhabitants would not defend themselves. Ethan, as well as the Continental Congress, believed that three groups there might help or acquiesce in its capture: the Indians, particularly the smuggling Caughnawagas, the merchants, and the

2. Carter, Clarence E., *The Correspondence of General Thomas Gage* (New Haven, 1931-1933), 2 vols., II, 199.

3. Office of the Secretary of State, *Stevens Transcripts*, I, 303-307, 413.

4. *Ibid.*, II, 257-258.





disgruntled French Canadians. He was aware that all save about eight hundred soldiers had been sent to reinforce General Thomas Gage in rebellious Boston. The province was inadequately defended and was occupied by groups potentially hostile to British control of Quebec; so reasoned Ethan.<sup>5</sup> As a prime revolter himself he unwisely drew comparisons between the situation in Quebec and that in the American colonies.

It is true, of course, that all was not well in the Province of Quebec. The Quebec Act of 1774 had displeased the merchants by withdrawing the promise to erect an Assembly. Furthermore, they were angered by the refusal of the government to adopt the practices of English commercial law. Despite their anger, the merchants were hardly ready to join the Allens, for they were jealous of their American competitors in the fur trade and besides they feared that a revolution within the province would so disorganize it that the French would monopolize the trade of the Mississippi Valley. Among French Canadian groups, the noblesse and the church gained by the Quebec Act such notable privileges as to place their influence at the disposal of the British. As the French Canadian lower classes resented the support given by Great Britain to these more privileged groups, they remained neutral in their attitude towards the British and the Americans. Quebec wavered, but it did not have within it the impulse to revolution which prevailed south of the forty-fifth parallel.

Acting upon a misapprehension as to the precise situation existing in the province, many Americans, including the Allens, believed that it could be easily captured, thereby destroying the hated Quebec Act and swinging the province into the main stream of the Revolution. The Allens, closest to the province, determined to be the first to attempt to capture it. Ethan swooped down on St. Johns on May 17, rallying on the way fourteen French Canadians who escorted him to Chambly at the foot of the Richelieu rapids. He reported them extremely friendly but he soon became aware that the "policy of the Canadians is neutrality."<sup>6</sup> From Chambly, he advanced recklessly to the St. Lawrence River, trust-

5. *Ibid.*, I, 293-297.

6. Wilbur Library, *Wilbur Transcripts*, no. 3214.





ing that the merchants of Montreal would capitulate as meekly as his Yorker opponents in the Grants. While at St. Johns, he dispatched a letter to Montreal merchants in which he announced that Lake George and Lake Champlain were now in the hands of the colonists and that he expected "English merchants as well as vertious Gentlemen will be in the interest of the Colonies," and asked that they would supply him with provisions, ammunition and liquors to be delivered at St. Johns.<sup>7</sup>

As a Quebec newspaper reported, Ethan secured the necessary provisions and gathered about him a nondescript band of about one hundred; "this party was to have had thirty coppers a day, and the town of Montreal for plunder. . . ." Then he moved westward towards Montreal. Some of its inhabitants were prepared to surrender, for the town could marshall only three score soldiers for its defense. Yet Ethan failed to capture Montreal because on September 25, a force of thirty-four soldiers, eight English volunteers and one hundred and twenty townsmen captured him.<sup>8</sup> He was later taken via New York to England as a prisoner of war and was not exchanged until May, 1778. Not until General Richard Montgomery arrived in the province with sizeable American forces did Montreal fall in November, 1775. During the winter and spring, the Americans made every attempt to win over the merchants and the French Canadians. For a time in 1776, it appeared that even the city of Quebec would be captured, thereby completing American conquest of the province.

While the city of Quebec was besieged by the Americans, while British authority had sunk to a low ebb, Ethan's brothers and their associates were given a breathing spell during which they could turn their attention to the second major objective of their revolutionary program—independence from New York. Two alternatives faced them. One would be to establish a state confined wholly to the Champlain Valley. It would be solely their creation and would have the advantage of being a geographic unit. But this alternative would isolate the Bennington faction, and it would tend to show that land speculation was the sole cause for inde-

7. P. A. C., Q, XI, 190-191.

8. *Quebec Gazette*, October 5, 1775.





pendence. Such a state would be puny and weak because the Champlain Valley was relatively small and contained few inhabitants. The other alternative would be to secure popular support for independence throughout the length and breadth of the area in which New Hampshire had granted lands. This alternative was thought more practicable because it was believed that the settlers east of the mountains would cooperate with the Westerners because they were disturbed by the struggle over land-titles and also by New York's refusal to meet their demands for reform. Their support was soon forthcoming. By the end of July, 1777, the Allens had committed themselves to defend a new state, bounded on the south by Massachusetts, on the east by the west bank of the Connecticut River, on the north by the forty-fifth parallel and on the west by a line drawn from the northwestern corner of Massachusetts to Lake Champlain so as to incorporate within the new state all the New Hampshire Grants.

The first step toward independence was taken on December 10, 1775, when a call was issued by the principal leaders on the west side of the Green Mountains for a convention to determine whether the laws of New York concerning land titles should be enforced, whether a way of suppressing their opponents in the Grants could be agreed upon, and whether to send an agent to the Continental Congress as well as to determine "whether the Convention will consent to Associate with New York, or by themselves in cause of America."<sup>9</sup>

In response to this call, forty-nine men, representing thirty-two towns in the Southwest and the Champlain Valley met in Dorset at Kent's tavern on January 16, 1776. The membership included many settlers and speculator-residents of the Grants; but some present had never lived there, others "represented" towns not yet settled. It is, therefore, not difficult to conclude that the Dorset Convention was composed of a revolutionary and self-appointed group, disaffected from New York largely because the land titles of its members were not recognized by that province. The convention addressed a "Remonstrance and Petition" to the Continental Congress in which it stated once more the local version

<sup>9</sup> Vermont Historical Society, *Collections*, I, 1-18.





of the royal decision of 1764, pointed an accusing finger at the New York land-jobbers and declared that, although the convention would do all in its power to aid the colonies against Great Britain, it was not willing to place its members under New York "in such manner as might in future be detrimental to our private property." The petition closed by stating that the petitioners wished the land title dispute to "lie Dormant until a general restoration of Tranquility. . . ." <sup>10</sup>

The chief result of this convention was to make clear to the revolutionaries in the other colonies that this body drew a sharp distinction between the cause of the Grants in the dispute with New York and the cause of the colonies in their dispute with Great Britain. The convention resolved to make application "to the inhabitants of said Grants to form the same into a separate District," and "voluntarily and solemnly to Engage under all the ties held sacred amongst Mankind at the Risque of our Lives and fortunes to Defend by arms the United American States against the Hostile attempts of the British Fleets and Armies, until the present unhappy Controversy between the two Countries shall be settled." Lastly, the convention requested the inhabitants of the Grants to subscribe to this resolution on pain of being "deemed enemies of the Common Cause of the New Hampshire Grants." <sup>11</sup>

The most far-reaching significance of the Dorset Convention, however, was not its hostile attitude towards New York nor the distinction it drew between this attitude and its attitude towards the other revolutionary provinces, but its decision to appeal for aid east of the Green Mountains. In the Connecticut Valley, rebellion against New York had long been simmering. The grievances of that region were caused in part by the land controversy, but more particularly by the inequalities between seaboard and backcountry. The speculators west of the Green Mountains could use these grievances and inequalities with great effect against New York.

Already the western groups which had met at Kent's Tavern had shown their sympathy for the outraged inhabitants of the

10. *Ibid.*, 18-19.

11. *Ibid.*, 22.





Connecticut Valley. At the Westminster Riot in 1775, they had sent over to the Connecticut River town Robert Cochran who, it may be supposed, did little to quiet the inhabitants.<sup>12</sup> Instead, his presence there demonstrated to the poorly organized but violent mob that it did not stand alone in its hostility to the authority exercised by New York. Colden had made a clear distinction between the cause for rebellious behaviour in the east and west, and had rightly predicted that east and west would merge their causes, hitherto separately waged, into one cause. Colden's prediction was fulfilled in the Dorset Convention of July 24, 1776. This convention appointed Heman Allen, William Marsh and Jonas Fay, in conjunction with Samuel Fletcher and Joshua Fish, to treat with the inhabitants of the New Hampshire Grants on the east side of the Green Mountains, for the purpose of securing their cooperation in the objectives of the convention.<sup>13</sup>

East of the Green Mountains, four distinct factions had emerged, each having its own reasons for opposing New York. The strategy of the western leaders was to draw them into the common fold of a separate state.

The first to be won whole-heartedly into the separatist project was the one composed of the redoubtable Reuben Jones and his followers. This faction had for some time been hotly agitating against New York. The burden of its grievances was largely economic, but the chief support for its rebellious behavior came from its attachment to the Bible which, it declared, provided all laws necessary for the good governance of a commonwealth. But the western leaders appear to have discovered that although the Jones faction was seemingly opposed to all earthly government, it would support a more democratic form of government than that of New York.

The second faction in the Grants was led by Leonard Spaulding. His grievances, like those of the Jones faction, were largely economic, but the Spaulding protest was couched, for the most part, in the language of political radicalism. It was he who had been tossed into jail for discourteous remarks concerning George

12. Jones, *Vermont in the Making*, 273.

13. V. H. S., *Collections*, I, 21-22.





III and the Quebec Act; it was he who had been for some time in grave difficulties over money matters in courts established by New York in the Grants.

The third faction in the east, Jacob Bayley and his supporters, might be termed conservative revolutionaries. Bayley was a substantial property owner, sympathetic towards New Hampshire, but hopeful that New York would meet the sectional grievances of the Connecticut Valley by granting substantial political concessions. He, significantly, never participated in the more radical excesses associated with the factions of Jones and Spaulding.

The fourth faction was composed of opportunists among Yorkers living in the Grants. They knew that New York's authority in the Connecticut Valley had been weakened and that private property was perhaps endangered by the more radical factions. Could not the Allens as substantial property owners, so they must have reasoned, be depended upon to set limits to the ambitions of the more radical factions in the Grants? If all political authority were destroyed, the only alternatives might be flight to New York or cooperation with the Allens. This faction was represented by Thomas Chandler, Jr., son of Judge Chandler of the Cumberland County Inferior Court of Common Pleas, who flirted with all the factions at one time or another.<sup>14</sup>

The history of events between the close of the first Dorset Convention and the establishment of a separate state is the history of the welding of the eastern and western factions into a coalition which was in agreement upon only one objective—independence. In the formation of this coalition and in its activities, the Allens played a covert role because they knew that their swift amassing of property had engendered jealousies in the minds of members of the coalition.

The group appointed to confer with the eastern factions fulfilled its mission successfully and forged the coalition which eventually brought into existence a new state. At the third convention held at Dorset, September 25, 1776, gathered the most radical of the anti-New Yorkers: Reuben Jones, Leonard Spaulding and one Benjamin Carpenter on whose tombstone is engraved

14. *Records of the Governor and Council of the State of Vermont*, 1, 241n.





the significant inscription, "an able advocate to the last for Democracy and the equal rights of man."<sup>15</sup> Another faction represented at the convention was composed of conservative Yorkers who had reluctantly resigned themselves to independence because, for a number of years, even they had not been wholly satisfied with New York's attitude towards the Grants. This faction, made up of many who had acted in revolutionary committees established in the Grants by New York, was represented by Ebenezer Hoisington, Edward Aiken and James Rogers. The latter was a substantial land-owner in Londonderry who later became a loyalist.

The instigator of independence was Reuben Jones. Years later, when he was old and indigent, he petitioned the Vermont Assembly for financial aid and in this petition he lifted the curtain, for a moment, from the history of the movement which made the Grants independent of New York.<sup>16</sup> He declared that after the Westminster Riot, his "fellow-Labourer," Alijah Lovejoy, induced him to go to General Washington to secure the court martial of the men responsible for that outrage. Washington, wrote Jones, referred him to Joseph Hawley, the Massachusetts radical, who told him that he favored the independence of the Grants, that the Continental Congress would soon declare independence, that the Grants must play their part in the struggle which was bound to result and, when Congress recommended the States to form new governments, that the Grants' inhabitants should establish a new state. After Jones had returned to the Grants, he went immediately to the Dorset Convention to report his conversation with Hawley.

By a process still unknown, arrangements were made to provide a united front against New York and to cooperate with the "General Cause." The convention voted on September 25 "that suitable application be made to form that District of Lands, commonly called and known by the name of the New Hampshire Grants, into a separate District. . . ." In the afternoon session, a committee recommended that the convention adopt measures to regulate the militia in order to defend the liberties of the Amer-

15. *Ibid.*, 118.

16. Vermont, Office of the Secretary of State, *Manuscript State Papers*, LV, 31.





ican states, to dispatch a petition to the Continental Congress, to regulate Tories and to declare "that any Law, or Laws, Direction or Directions we may (for the time being) receive from Sd. State of New York will not in future be accepted neither shall we hold ourselves bound by them."<sup>17</sup>

On the twenty-seventh, a covenant was entered into by those present. It declared that because of the oppressive conduct of New York, "together with the distance of road which lies between this District and New York," that further connection with New York was impossible and that all members should bind themselves to obey all future resolves decreed by the convention or future conventions and to secure the support of all the Grants people to this covenant.<sup>18</sup> This convention was significant, for it enabled the separatists to determine who was and who was not in favor of independence by asking the inhabitants to subscribe to the covenant. Henceforth, the covenant operated in much the same fashion as the Association of the Continental Congress operated in separating those loyal to Great Britain from those loyal to the Continental Congress.

As yet, however, the conventions had acted circumspectly, having only tentatively approached the question of a declaration of independence. This attitude was due largely to the failure of many delegates to attend the convention held at Westminster on October 30, 1776, because the American naval force on Lake Champlain had been destroyed and Guy Carleton was expected to attack Ticonderoga.<sup>19</sup>

As a result, the Allens and their supporters did not consult until January 15, 1777, when the second Westminster Convention met. It was attended by twenty-two persons, including Leonard Spaulding, and its members elected Reuben Jones clerk, "P. Tempore." After deliberating the question of independence, the convention voted the independence of the Grants from New York and Great Britain. In recognition of the Connecticut origins of a large proportion of Grants inhabitants, it was decided to call the new state New Connecticut. The delegates justified their revolutionary acts

17. *Records of the Governor and Council of the State of Vermont*, I, 28-29.

18. *V. H. S., Collections*, I, 26-27.

19. *Ibid.*, 34-35.





by stating that they were following the instructions of the Continental Congress when, on May 16, 1776, it had instructed the revolting provinces "where no government, sufficient to the exigencies of their affairs, has been heretofore established, to adopt such government as shall, in the opinion of the representatives of the people, best conduce to the happiness and safety of their constituents in particular, and of America in general." After voting independence, the convention recounted its version of the history of the dispute with New York, pointed to the acts of outlawry passed against its members by New York and the failure of revolutionary New York to abolish quitrents. A petition outlining these grievances was drawn up to be dispatched to the Continental Congress.<sup>20</sup>

Until the spring of 1777, independence was supported only by land speculators, a few Yorkers and the more radical factions, while the faction led by Jacob Bayley refused to commit itself to independence because it was waiting to see what kind of a constitution revolutionary New York would write. The event which threw them all into each others' arms was the constitution adopted at the New York Constitutional Convention of April, 1777. This constitution, framed by John Jay, was wholly unacceptable to the majority of the Grants inhabitants. New York could not have deliberately designed an instrument of government more repugnant to the political ideas of the Grants folk. They were outraged by the perpetuation in the revolutionary constitution of those grievances which had been a chief cause of their mounting hostility to New York. Prior to the adoption of this constitution, many Yorkers in the Grants could declare with some truth that much of the agitation against New York had been artificially stimulated and that "many wicked and disaffected and turbulent Persons for the Promotion of their own private interest and other sinister and base Designs have artfully fomented the said Animosities falsely alledging . . . that this state and Government . . . are determined to oppress harass and impoverish the Inhabitants of the said Counties . . ." <sup>21</sup> Henceforth, the protests of the inhabitants of the

20. *Ibid.*, 38-39.

21. O'Callaghan, E. B. (ed.), *Documentary History of the State of New York* (Albany, 1850-1851), 4 vols., IV, 925.





Grants could no longer be deemed wholly false. New York's Constitution was sufficient proof that seaboard New York was bent upon exercising an arbitrary and discriminatory authority over the backcountry—including the Grants.

The New York Constitution provided for a bicameral legislature with property qualifications for the suffrage and it perpetuated primogeniture and entail. The Grants inhabitants were allotted nine of the seventy seats in the Assembly and three of the twenty-four seats in the Senate. From the point of view of the Grants folk, these provisions of the Constitution, as well as many others, made it clear that New York, although more conciliatory than it had been before 1777, did not propose to remove all those inequalities upon which the Grants folk placed a large share of the blame for their difficulties.<sup>22</sup> The constitution was the last straw for the Bayley faction. It was now willing to throw in its lot with the settlers and speculators west of the Green Mountains, a few Yorkers and the Jones-Spaulling factions east of the mountains. The indecision of 1776-1777 gave way to a newly-found decision after the New York Constitutional Convention. Bayley wrote on February 19, 1777, that most people in Cumberland County were rallying around those disaffected from New York, "none from us, but which way for us to steer, I know not."<sup>23</sup> Then came news of the contents of the conservative instrument of government of New York. Bayley now declared that New York had an arbitrary government. The inhabitants, he said, before they saw the constitution were not willing to trouble themselves about a separation from the state of New York, "but now almost to a man they are violent for it."<sup>24</sup>

The disadvantages of continued union with New York were greater than the risks of joining the truly revolutionary movement in the Grants from which Bayley had hitherto remained aloof. In future, the Allens could, in varying degrees, count upon the cooperation of all factions, except that of die-hard Yorkers, in writing a constitution which would endeavour to end, once and

22. Spaulling, E. W., *New York During the Critical Period, 1783-1789* (New York, 1932). See 94, *passim*.

23. *Records of the Governor and Council of the State of Vermont*, I, 373-374.

24. *Ibid.*, I, 375.





for all, the grievances which they had so long endured under New York. That Vermont would emerge with a more democratic form of government was a foregone conclusion.

The Allens had but to acquaint themselves with the provisions of the New York Constitution to show them what kind of a document the Grants people would accept. The constitution soon to be written expressed the Allens' political theories, yet their theories were undoubtedly those of a majority of the frontiersmen of the Grants.

Thus, in the heat of common hostility to "revolutionary" New York was forged the fundamental instrument for the government of the new state. On June 4, 1777, there met at Windsor a convention composed of seventy-two men representing all factions. Heading the list of tasks to be performed by this convention was that of selecting a different name for the new state because it knew that a settlement of the name of New Connecticut had been established in the Susquehanna Valley. The convention finally chose Vermont. This name had been suggested by Dr. Thomas Young who had been an intimate of the Allens during their Connecticut days and who now lived in Philadelphia. Having decided upon Vermont the convention drew up once more a list of grievances against New York and after designating Wednesday, the eighteenth of June "as a day of public fasting and prayer throughout the state," it appointed June twenty-third as the day for each town to select representatives to meet on July 2, 1777, at Windsor to "choose delegates to attend the general Congress, [to choose] a Committee of Safety and to form a Constitution . . ."<sup>25</sup>

On the appointed day, the convention met at Windsor and began immediately to write a constitution. The document which emerged from this convention was the opposite in most particulars from that of New York. The emphasis in the Vermont Constitution was, in theory at least, on majority rule and supremacy of the legislative branch. The emphasis in the New York Constitution was on separation of powers, a strong governor and a powerful judiciary. Above all, Vermont granted universal manhood suffrage whereas New York maintained property qualifications for the

25. *Records of the Governor and Council of the State of Vermont*, I, 52-61.





suffrage. Vermont's Constitution was an experiment in political democracy within the framework of the compact theory of government.

Under the constitution, the freemen in every town of less than eighty persons were to elect one representative (two if more than eighty) to the Assembly, which was granted the power of legislation and of the purse, and the power of appointment and impeachment. The freemen were also to elect the Governor and twelve persons to comprise the Governor's Council which was to exercise the executive powers. Lastly, the freemen were to elect thirteen persons every seven years who would form a Council of Censors empowered to "inquire whether the Constitution has been preserved inviolate in every part, and whether the legislative and executive branches of government have performed their duty as guardians of the people; or assumed to themselves, or exercised other or greater powers than they are entitled to by the Constitution."<sup>26</sup> In short, the Vermont Constitution, unlike New York's, was representative of the most advanced social and political ideas of the revolutionary generation. In one particular only were the two constitutions identical, both established a Council of Censors.

Although this constitution fitted the needs and embodied the political ideas of a majority of the settlers and many speculators, it was not an original creation. The Allens used as their model the radical first constitution of revolutionary Pennsylvania. That fundamental law had been written in response to forces very similar to those which had set the Grants folk against New York. Backcountry Pennsylvania labored under similar grievances and wrote into its first constitution provisions which were intended to safeguard majority rule against courts, governors or aristocratic senators. Its provisions were already at hand, thanks to Thomas Young, and with a few changes and amendments were put into operation in Vermont. The person who claimed to have written the preamble and compiled the constitution was Ira Allen.<sup>27</sup> Except for the provision granting one representative to towns of

26. The Constitution is printed in *Records of the Governor and Council of the State of Vermont*, I, 90-103.

27. Wilbur Library, Wilbur Photostats, no. 3102.





eighty or less persons and two to towns of more than eighty, the provision granting universal manhood suffrage, and the addition of ten articles comprising a Declaration of Rights, the instrument closely resembled the radical Constitution of Pennsylvania.

Such was the democratic character of the constitution launched on the wave of reaction against revolutionary New York. Ira's comment on the reasons for framing such a document was simple: "As the people seemed inclined for a popular government, the Constitution was so made."<sup>28</sup> He actually invited the Vermonters to compare the constitutions of New York and Vermont. "I therefore expect the Inhabitants here," wrote Ira to the inhabitants of Putney on August 13, 1777, "will content themselves Untill our Constitution can be Printed and sent thro the several Towns; that the People may Compare the Constitution of New York & this together & then Candidly Determine whether it is Best wisest and Cheapest for those Inhabitants to govern themselves or pay foreigners for doing."<sup>29</sup>

Ira went farther than to seek support solely on the grounds that Vermont's constitution was an improvement upon New York's. In May of 1777, in anticipation of the constitution, Ira wrote a pamphlet entitled *Miscellaneous Remarks on the Proceedings of the State of New York against the State of Vermont*. In this pamphlet he drew whatever arguments he could from politics, economics and geography in favor of independence. The courts, he hinted for the eyes of debt-harassed folk, will meet for short sessions and the few salaried officials appointed by the state will have their fees set at modest and reasonable rates.<sup>30</sup>

Not only did Ira appeal to the tax-payer, but he appealed also to Vermonters who were convinced that Vermont interests would not be properly recognized by the New York legislature. He maintained that the legislature would be dominated by Yorkers because of New York's greater area and population. In these circumstances not even the most equitable system of representation could guarantee that the interests of Grants inhabitants would

28. V. H. S., *Collections*, I, 319.

29. Wilbur Photostats, no. 3227.

30. V. H. S., *Collections*, I, 130-131.





not be neglected or sacrificed by the legislature. In short, New York's area was so great, its population so large and varied, its interests so complex, that its government could be neither efficient nor equitable. Many Yorkers, he said, were as ignorant of Vermont and its needs as were Londoners. "The great distance of road between this district and New York," he added, "is alone a convincing argument that the God of Nature never designed said district should be under the jurisdiction of said State."<sup>31</sup>

Furthermore, Ira stated that independence would not destroy landlocked Vermont's trade with other states and with foreign countries. It had never been presumed, he said, that the colonial boundaries had been drawn so as to give each colony an outlet upon the sea. People have traded with the nearest seaports regardless of boundary lines. He continued by saying that he had overheard the objection that it would be inconvenient for the New Hampshire Grants to be a state because it would not have a seaport. He frankly acknowledged that the Grants had none; but retorted that annexation to any state could not possibly bring a seaport nearer the Grants. The Grants, he maintained, enjoyed the great advantage of lying adjacent to Lake Champlain by which they could be supplied with goods at a reasonable price. "In some parts of the world," he exclaimed, "there are inland kingdoms, & why not inland States?"<sup>32</sup>

His enemies could and did retort that the Lake Champlain-St. Lawrence outlet to the ocean was still in British hands. Ira anticipated this argument by declaring that he was confident that this outlet would soon be controlled by Americans. "We have the greatest reason to believe," he said, "that, in the sequel of this war, all the American ports will be cleared of those Cormorants that now infest them, & that the Province of Quebec will become one of the United States of America. . . ."<sup>33</sup>

The impact of these arguments was so great as to leave patriotic Yorkers in the Grants almost inarticulate. They did not choose to answer the charge that New York's Constitution was undemocratic. Instead, they made much of the charge, in part true, that

31. *Ibid.*, 130-131.

32. *Ibid.*, 128.

33. *Ibid.*, 128-129.





the leaders of the movement towards independence were land-speculators who were motivated solely by self-interest and who publicly appealed to the self-interest of others. At any rate, they and their arguments were rejected and repudiated at the Constitutional Convention of July, 1777.

In later years, Yorkers in the Grants charged that the Allens had obtained popular support by assuring the inhabitants that the new state would dispose of lands not yet granted and that the revenue from the sale of loyalist estates would be sufficient to pay all the costs of Vermont's participation in the war.<sup>34</sup>

Yorkers living in Guilford, Brattleborough, Putney, New Fane, Hinsdale, Rockingham, Westminster and Weathersfield declared in 1780 that they refused to acquiesce in independence, not from "motives unfriendly to the American Cause (which some ignorant or malicious people have without Foundation asserted)," but upon other grounds. They declared that Vermonters should draw a distinction between the royal government and the revolutionary government of New York. This new government, they said, had offered in 1778 to compromise the land title dispute and to reduce the burden of the quitrents. Time, they said, would lessen or remove the inconveniences of distance, because the New York Assembly would be dominated by up-state counties which would endeavor, probably successfully, to move the capital of New York considerably northward of its present seat.<sup>35</sup>

Perhaps the most thoughtful objection to the independence of the Grants from New York came from John Rodgers, an obscure but nonetheless brilliant and discerning citizen of New York who resided near the Vermont border. Unlike the Allens, he was, so far as can be determined, a democrat wholly by conviction. He expressed regret in 1781 at the separation. If the Grants had remained a part of New York, he said, it would have strengthened the "Democratic Spirit" of the state and provided an effective guard against the aristocracy which the unequal distribution of property in the state had inevitably begotten.<sup>36</sup>

34. N. Y. S. L., *Stevens Miscellaneous*, "Sundry Grievances," Feb. 5, 1782.

35. *Wilbur Photostats*, No. 3233.

36. N. Y. S. L., *Isaac Tichenor Papers*, Rodgers to Tichenor, Sept. 28, 1781.





## Revolutionary Vermont

The independence of Vermont and the writing of a democratic constitution brought to fruition two of the major aims of the Allens. They had doubtlessly hoped that independence would have been preceded or accompanied by the collapse of British power in Quebec; but in the spring of 1776 and throughout 1777, the British instead of the Americans were on the offensive in the Champlain Valley. Obviously, the state had been established at a critical time. It had been organized to support property rights under a democratic form of government, as opposed to property rights supported by conservative, though "revolutionary" New York. At the same time Vermont participated as a "co-belligerent" of the other colonies in the larger struggle to eliminate British authority from the continent. On these two objectives, if none other, the four factions which joined in supporting the independence of Vermont from New York and from Great Britain were in overwhelming agreement.

As quickly as possible, Vermont took measures to defend itself against the British offensive during 1777. The invasion of the American colonies via the Champlain Valley took place after the failure of Montgomery to capture the citadel in Quebec in the winter of 1775-1776 and was made possible by the arrival of reinforcements in Quebec during the ensuing spring. By the autumn of 1776, the Province of Quebec had been cleared of American troops and Guy Carleton appeared in force on Lake Champlain. In the spring of 1777, General Burgoyne invaded the American colonies via the Champlain Valley.<sup>1</sup> To meet this invasion required hasty improvisation by the new state. The Allens rose to the crisis. They postponed the immediate organization of a government, as required by the constitution, and set up a Council of Safety which was granted large powers over military and civil affairs. On July 8, 1777, the members of this Council were ap-

1. Burt, *The Old Province of Quebec*, 233-241.





pointed by the Windsor Convention. Its membership was drawn from most of the factions represented at the convention, conservative ex-Yorkers and the Allen and Bennington factions, with the Allen faction in control. The President of this Council was Thomas Chittenden who, after moving from Connecticut to Vermont in 1773, had settled upon and invested in Onion River lands. Under his nominal leadership, the Council put up the stiffest resistance possible to Burgoyne, appealed for aid from the other colonies, financed the purchase of stores and provisions and exercised control over the loyalists in Vermont.<sup>2</sup>

At the time of its appointment, the fortunes of the struggle against Great Britain were at a low ebb. Seth Warner had suffered his defeat at Hubbardton, Ticonderoga had fallen and Burgoyne was advancing southward. In this critical moment, the Council appealed to New Hampshire for aid and attempted to solve the problem of how best to stimulate enlistment, to finance its own military operations and to contribute to the support of the "General Cause". The fertile brain of Ira Allen found a solution for the financial problem. The Council, despairing of securing funds from New York or New Hampshire, did not know what to do. Ira was given overnight, so he later wrote, to hatch a scheme to finance the raising of a regiment. "Next morning," he said, "the sun-rising, the Council met, and he reported the ways and means to raise and support a regiment. viz., that the Council should appoint a Commissioner of Sequestration, with authority to seize goods and chattels of all persons who had or might join the common enemy, and that all property so seized should be sold at public vendue, and the proceeds paid to the Treasurer of the Council of Safety for the purpose of paying the bounties and wages of a regiment. . . ."<sup>3</sup> This proposal was adopted immediately. It provided the infant government with funds which would help tide it over during the dark days ahead. Well might one loyalist exclaim, "the Revolution and the formation of the State of Vermont very nearly reduced me to nothing."<sup>4</sup>

The origins of the impulse towards loyalism, of which the Allens

2. *Records of the Governor and Council of the State of Vermont*, I, 108, *passim*.

3. *V. H. S., Collections*, I, 384-385.

4. *V. H. S., Newbury Manuscripts*, Samuel Stevens to (?), Feb. 19, 1799.





made such good use, were many. Although sincere attachment to King and Country played a part in the decision to turn loyalist, other influences were at work. The exposed situation of Vermont and its proximity to the Province of Quebec, for example, exercised a decisive influence over many. "There are on both sides of the Lake," reported Will Gilliland in 1775, "a number of persons who seem to hear of the success of the American arms with pain, and speak of them with Contempt, others there are that are cold and indifferent to either side . . . ." He recommended to General Philip Schuyler, in command of the American forces in New York, that the Association of the Continental Congress be immediately subscribed by those people, "Especially by those Contiguous to this Lake that we may be purg'd of Rottin sheep, who by carrying on secret correspondence with the Enemy (which they can very easily do) may thereby defeat American measures at least may injure them much and greatly endanger the other Inhabitants on the American side."<sup>5</sup>

On the British side, it was anticipated that many Vermonters would actually support them. Burgoyne wrote that he hoped to raise three batialions in Vermont, Skenesborough and Albany.<sup>6</sup> The advance of his army up the lake did indeed, in some measure, fulfill his hopes. Many Vermonters, over-awed by the formidable character of his army, went over to the British lines, among them local leaders, including Justus Sherwood and William Marsh. If local histories are to be trusted, a handful of Vermonters actually fought with the British against the rebels at the Battle of Bennington. Others, less warlike in temperament, rendered valuable service to Burgoyne by acting as spies or by helping to disarm rebel townsfolk in Vermont as the British forces advanced. Some of these persons repented of their rashness in supporting Burgoyne after he had marched beyond Vermont and surrendered at Saratoga. When they returned to Vermont, the Council of Safety was surprisingly lenient. Many of them were permitted to remain. One of them was told by the Council that he might stay if he would not seek to regain his property which had been confiscated.<sup>7</sup> After

5. N. Y. P. L., *Schuyler Papers*, XXXIX, Gilliland to Maj. Samuel Elmore, July 24, 1775.

6. P. A. C., Q, XIII, 282-286.

7. *Records of the Governor and Council of the State of Vermont*, I, 164.





Vermont had successfully weathered the blows aimed at it by Burgoyne, the Council recommended that loyalists be released on the grounds that the patriots must "consider the weak Capacities of many who have been affrightened into a Submission to General Burgoyne, etc., after which seeing their error confess their fault and are willing to defend their Country's Cause at the Risque of Life & Fortune."<sup>8</sup>

A second reason for loyalism in Vermont undoubtedly lay in the Allens' rough treatment, for some time previous, of their opponents in the Grants. Who can blame someone like the Yorker, Dr. Samuel Adams, for loyalism after he had been hoisted above a tavern in Bennington in 1775 by the Green Mountain Boys, now the leading "patriots"?<sup>9</sup> The most famous of these Tories was Levi Allen. His loyalism was immediately occasioned by a family quarrel. According to him, Ethan had promised to pay in hard money for certain lands, but had broken his promise by tendering paper money which Levi would not accept. "The consequence was, in my absence, without delay of Law or Equity, which is hardly mature in the new district," alleged Levi, "he contrived the sure and convenient remedy of confiscation; an excellent institution for a *blooming* State!"<sup>10</sup>

A third reason for loyalism lay in the inability to reconcile or compromise the interests of conservative Yorkers and radical Yankees in Vermont. Conservative Yorkers, including Samuel Wells and Crean Brush who had represented the Grants in the New York Assembly prior to the Revolution, turned loyalist. They were loyal to pre-revolutionary, royalist New York and remained so to Great Britain. They temporarily disappeared or went underground with the outbreak of the Revolution.

In a different category were Yorkers who had benefited by the establishment of New York control in the Grants and who wished to be neutral not only in the quarrel between Vermont and New York but also in that between the colonies and Great Britain. One of these, John Peters, tried to ride out the storm of the Vermont revolution, but failed to do so. He complained years later that he

8. *Ibid.*, I, 196.

9. *Ibid.*, I, 167n.

10. *Connecticut Courant*, March 30, 1779.





had been given the alternative of taking up arms against King and Country or quitting Vermont. His great enemy was Jacob Bayley. "I endeavoured to be quiet," he related, "but it would not do. . . ." <sup>11</sup>

Similar treatment was meted out to Yorkers who warmly embraced the cause of revolutionary New York against both Britain and Vermont. In particular, the Allens did not believe that one could oppose Vermont without being a loyalist. On more than one occasion, men whose loyalty to the American Revolution was not questioned in New York were either tossed into jail or driven from Vermont. Ethan, especially, was guilty of this practice, after his return in the spring of 1778. In July of that year he took to Albany, as he alleged, "seventeen wicked Tories" to be thrown into jail. <sup>12</sup> At the first opportunity, the poor wretches petitioned Governor George Clinton to be immediately released. "Your petitioners," they said, "have never acted unfriendly to the American cause altho' it is alleged or expressed in the Sentence of banishment, that they stand charged with inimical conduct against the United States of America" and they concluded by saying that "the true and real Cause of their severe and unparalleled Treatment of us is owing to your Petitioners acknowledging themselves to be subjects of the State of New York, and not recognizing the validity and existence of the State of Vermont. . . ." <sup>13</sup>

Such severe treatment was not always dealt to the opponents of the dominant factions in Vermont. The Vermonters were often quite lenient to loyalists and particularly so to their families. In one instance, the Council ordered the effects of John Munro seized, leaving to his family, however, "Two cows and such other effects as were wanted for the Support of said Munro's family. . . ." <sup>14</sup> The wife of Dr. Adams, old foe of the Allens, was allowed to take out of the state "two feather beds and beddings suitable therefor, six Pewter Plates, two Platters, two basons, one quart Pot, one Teakettle, Wearing Apparel for herself and Chil-

11. N. Y. S. L., *Miscellaneous Manuscripts*, no. 3608.

12. Vermont, Office of the Secretary of State, *Stevens Transcripts*, Ethan to Elisha Payne, July 11, 1778.

13. *Public Papers of George Clinton* (Albany, 1899-1914), 10 vols., III, 552-553.

14. *Records of the Governor and Council of the State of Vermont*, I, 151.





dren, one Frying Pan, one Candle Stick, knives and forks."<sup>15</sup> The wife of the loyalist, James Rogers, secured what must have seemed to less fortunate loyalists preferential treatment. A committee of the Assembly reported in 1779 in favor of allowing Mrs. Rogers to have the proceeds from her husband's estate out of which "the Sd Mrs. Rogers and family ought to be maintained in a handsome manner." The Assembly, balking at this proposal, gave to Mrs. Rogers, instead, one hundred fifty acres and a house.<sup>16</sup>

Popular hostility was, however, another story. An act passed on February 24, 1779, complained that some loyalists who had been banished by the state had not left and that others had boldly returned. It prescribed punishment of forty lashes once a week until they would voluntarily leave Vermont.<sup>17</sup>

The number of loyalist estates confiscated by April 23, 1778, was only one hundred and fifty eight.<sup>18</sup> In proportion to the total population of Vermont, the number of estates confiscated is small. One reason for the relatively few loyalists lies in the backcountry radicalism of the Vermonters. Not everywhere, of course, did the backcountry rally to the Revolution. In North Carolina, as well as in certain parts of the Hudson Valley, a large proportion of backcountry people became loyalists when the seaboard joined the Revolution.

In Vermont, however, the hostility of the backcountry to the seaboard had not as yet reached a state of disillusionment with the complex alignment of forces for and against independence. The successful revolutionary leadership which was provided for the common folk and the continued success of that leadership undoubtedly prevented, at this time, a Vermont counterpart of the Regulators' War and its aftermath in North Carolina, during which many backcountry inhabitants joined Great Britain against their own seaboard. Moreover, the stereotyped Tory, then and now, had vanished from Vermont. The aristocratic loyalist gentlemen had disappeared from the Grants before the outbreak of the

15. *Ibid.*, 226.

16. Nye, Mary G. (ed.), *Sequestration, Confiscation and Sales of Estates* (1941), 67, 69.

17. Vermont, Office of the Secretary of State, *Manuscript Assembly Journals, 1778-1781*, 93.

18. Nye, *op. cit.*, 15-17.





American Revolution in 1776. Vermont, by beginning its revolution prior to 1776, had forced the early departure of the most vehement supporters of New York and its speculators. Among these were many of the wealthy conservatives and landed gentry who tended to remain loyal to the British government which had protected their interests.

Whatever the reasons for loyalism, Vermont proceeded to confiscate loyalist property. As early as the summer of 1777, commissioners were appointed with power to designate three persons to assess the value of goods and chattels seized from the loyalists and lease them for a period of two years.<sup>19</sup>

At the sales of personal property an enormous amount of livestock and goods was sold. Cattle, sheep, plows, hemp, bedsteads, frying pans, traps, powder horns, lumber, tubs, chests, scythes, kettles, sleighs, axes, shovels, augers, whippetrees, pinchers and leather breeches were bought by rebel Vermonters. A few loyalists were able to save some of their personal property by deeding it to friends or relatives. The commissioners were conscientious, however, and, on at least one occasion, prevented such a loss to the state. The patriot, Leonard Spaulding, prevented Oliver, Elijah and John Lovell from holding title to personal effects of the loyalist, Timothy Lovell.<sup>20</sup> Another commissioner complained that Vermonters appropriated loyalist property for their own use. The commissioners were busy, at times, scouring the countryside for horses and other confiscated property which had been seized without due process of the laws of Vermont. One commissioner declared, "Coll. Williams can Enform Whare a Number of horses is Gone that are cared by Certain Persons who think tis No Harm to Stele from a State because a Tory once owned them. . . ."<sup>21</sup> The funds derived from these sales of personal property were substantial. After the Revolution, Ira admitted two motives for confiscation: one to finance Vermont's war effort, the other to avoid levying taxes which would be unpopular.

After the organization of the state government in March of 1778, two courts of confiscation were established, one east and

19. *Records of the Governor and Council of the State of Vermont*, I, 136.

20. Nye, *op. cit.*, 59.

21. *Ibid.*, 264.





one west of the mountains. Bayley and ex-Yorkers dominated the former, the Allen and Bennington factions the latter. Not until the establishment of these two courts was any attempt made to dispose of the real estate as distinct from the personal property of loyalists.

This delay was occasioned by the fact that New Hampshire and New York had made land grants which conflicted. Many Vermonters foresaw that the sale of loyalist lands held under New York title but also claimed under New Hampshire title would liquidate the land-holdings of claimants under the latter title. Only lands held by loyalists for which there were no conflicting claims could be sold without fear of injuring claimants under New Hampshire whose lands had been re-granted by New York.

Such complications arising from the confiscation of loyalists' lands prompted Chittenden's order of April 30, 1780. This order directed: "if the title derived from New Hampshire warrant purchaser the New Hampshire title, if forfeiture had only York title, where there is hampshire grant, for the same lands, you will sell the Possessions and improvements only. If the forfeiture has York title and no other to land, you will warrant the premise from all claims."<sup>22</sup> Thus, the effect of the Vermont revolution on the fortunes of loyalists in Vermont and outside of the state as well was to liquidate their holdings of Vermont lands. All lands held by Yorkers and all lands held by loyalists under any title whatsoever were forfeited. The Vermonters benefited, therefore, by two revolutions, the one against New York invalidating New York titles and the one against Great Britain invalidating all landholdings of loyalists.

The number of acres confiscated which belonged to non-resident loyalists holding title under either New York or New Hampshire was considerable, far greater than the acreage which was confiscated from Grants settlers. The heirs of Crean Brush lost 29,000 acres, Samuel Peters of Hebron, Connecticut, 56,000 acres (so he claimed), and William Smith approximately 26,000 £ invested in Vermont lands.<sup>23</sup>

22. V. H. S., *Miscellaneous Manuscripts*.

23. N. Y. P. L., *Transcripts of Loyalist Claims*, XLVI, 383-384; XLIV, 397; II, 266-267; XI, 250-252; XLIV, 607-631.





These acreages and sums far exceed the amounts confiscated from loyalists who had actually resided in the Grants. Most of these loyalists who were later to seek compensation from the British government put in claims for modest sums. Only a few could claim compensation for such large acreages as Justus Sherwood who had owned 13,000 acres situated in New Haven, Burlington, Tinnmouth, New Huntington, Middlebury and Sunderland,<sup>24</sup> or for 47,000 acres as did James Rogers.<sup>25</sup> Some of the funds realized from the sale of confiscated lands undoubtedly were used by the Treasurer, Ira Allen, to meet public expenditures.

Some of these lands were sold at very low prices to attract settlers to Vermont. Eliakim Spooner, a prominent Vermonter, was, as he later wrote, persuaded to come in 1779 to Vermont from Massachusetts to invest in confiscated estates. He bought valuable lots in Westminster, but was "exceedingly injured by sundry unjust reports, which have been put & kept in circulation during the said 18 years, respecting the value of the consideration-money which he paid the state for the lands, insinuating that it was of small value. . . ." <sup>26</sup>

Some of the land was purchased by persons high in Vermont political circles. Ethan invested in them and so did Ira. One loyalist, John Mebus, who joined the British in 1779, reported to the Commissioners on Loyalist Claims that "Claimants title being under a New York Patent was reckoned bad. . . . Col. Allen has got the land." <sup>27</sup>

Lastly, some of the land was probably sold to outsiders who were influential in state or congressional politics. Ira Allen did not hesitate to distribute land in such a way as to increase the number of Vermont supporters in other states. The list of influential men who at one time or another held title to Vermont lands is fairly large, among them, John Paul Jones, President John Witherspoon of Princeton, John and Abigail Adams, Oliver Wolcott and General James Sullivan. Available records do not show how many of

24. *Ibid.*, XXI, 53-54, 57.

25. *Ibid.*, XX, 511.

26. Vermont, Office of the Secretary of State, *Manuscript State Papers*, XLVI, 233.

27. N. Y. P. L., *Transcripts of Loyalist Claims*, XXVII, 386-387.





these sales or gifts were of estates which had been confiscated.

The evidence at hand tends to support the view that the Revolution within Vermont did little to sweep aside the speculative holdings of any but those of rebel and loyalist Yorkers and that, although much land passed from the hands of local small land-owners who became loyalists, to local small land-owners who were patriots, the net effect of the revolution in land ownership was to establish the supremacy of the Allens and their supporters and to substitute for Yorker absentee owners a new group of absentee owners, chiefly Yankee.

The sale of loyalist estates was responsible, in part, for a rebellion in Vermont against the Allen leadership. The fundamental cause for this rebellion was, however, the undue influence of the Allens in the government of the new state. Vermonters had not anticipated this situation. Their constitution expressly declared that government did not exist for "the particular emolument or advantage of any single man, family or set of men who are a part only of . . . [the] community." Events subsequent to independence demonstrated that the machinery of government could be manipulated all too easily in the interest of the landed, commercial and political ambitions of the Allens. Despite the democratic constitution, Vermonters only partially benefited by its provisions. The structure of government was democratic; but the structure was controlled substantially by what the Allens and other Vermonters later referred to as the "private cabinet" of Vermont.

This private cabinet centered in and around the Governor's Council which was composed of twelve persons elected by popular vote. The titular head of the council was Vermont's first Governor, Thomas Chittenden. Until Vermont's declaration of independence, Chittenden had not played a decisive role in politics. Yet his early inactivity in Vermont affairs proved to be his chief political asset. After 1777, he emerged as the prime political symbol, uniting in precarious alliance the different factions, some of the members of which were envious of the Allens. Chittenden's subsequent career demonstrated that his sense of loyalty to his political mentors was often greater than his loyalty to the con-





stitution, or his responsibility to the Assembly. He was soon committed, by and large, to underwriting the Allens' policies. Ira appears even to have written many of his state papers.

That the government was dominated by the Allens and their associates was not due to the fixity of their aims nor to their use of unscrupulous means. The government was easily manipulated partly because the members of the private cabinet, unlike the members of the Assembly, were in consultation almost daily. The Assembly, on the other hand, met only for brief periods in each year. For example, during the year 1778, it met three times: March 13 to March 26, June 4 to June 24 and October 9 to November 24.<sup>28</sup> Between the meetings of the Assembly, decisions had to be made. In emergencies, the Allens could find plausible excuses for violating express provisions of the constitution which vested policy-making powers in the Assembly.

Yet when the Assembly was in session, it invariably acquiesced in *faits accomplis* of the private cabinet. This is not surprising because many Vermonters showed their gratitude to the Allens for refusing to levy taxes, for confiscating loyalist estates and for continuing to defy New York successfully, by electing Assemblymen who would support them. Still other factors which explain the great power of the executive branch of the government were the crushing of the Yorker opposition in the Grants and the war-induced emphasis upon centralized authority. Furthermore, the isolation of the Vermont towns from each other by mountains and very poor roads made it difficult for their inhabitants to become acquainted with what transpired in the towns which served at different times as the capital of the state. Lastly, the provision of the constitution granting two representatives only to towns of more than eighty inhabitants had the effect of over-representing the less populous towns in the Champlain Valley where the Allens were so very influential, and under-representing the more populous towns in the Connecticut Valley. A constitution which granted one representative to towns of less than eighty inhabitants and only two representatives to towns of eighty or more inhabitants did not meet the popular demand for representation in legisla-

28. *Records of the Governor and Council of the State of Vermont*, I, 243-282.





tures based solely upon population. As a result of the operation of all of these factors, the provisions of the constitution strictly subordinating the executive to the legislative branch could not for many years curb a cabal composed of the Allens and Chittenden.

To overthrow this cabal or to reduce its influence became the great ambition of Jacob Bayley. He had supported independence as a last resort and as the lesser of the evils confronting him. No love was lost between him and his supporters, and the Allens and theirs. Bayley appears to have proposed to wrest state leadership from the Allens by cooperating with all Assemblymen elected by the inhabitants of the Connecticut Valley who were opposed to the Allens. These out-numbered the Assemblymen elected by the inhabitants of the towns in the more sparsely populated Champlain Valley and Southwest. But the popular appeal and political talents of the Allens enabled them to hold firm the reins of government after the first Assembly met on March 13, 1778. Yet the Allens' opponents elsewhere in Vermont trusted that they could in time wrest leadership from them by annexing to Vermont the New Hampshire towns situated on the east bank of the Connecticut River. The Assemblymen elected by these towns, in conjunction with those elected by the towns on the west bank of the river, could effect what Bayley had desired to do.

For a variety of reasons many inhabitants of the towns on the west bank of the Connecticut River wished to support this plan to humble the Allens. They were, in particular, annoyed by Ira Allen's management of the confiscation and sale of loyalist estates. Ira later wrote that his opponents had declared that, in violation of instructions of the Continental Congress, Vermont had confiscated many large and extremely valuable loyalist estates and had "disposed of them accordingly, and the avails appropriated to many frivolous and unnecessary purposes without depositing any part thereof in the continental loan offices."<sup>29</sup>

The cooperation of the inhabitants living in the New Hampshire towns on the east bank of the Connecticut was easily secured because their grievances against New Hampshire had not been redressed. Its constitution of 1775 had not only caused many in-

29. *Records of the Governor and Council of the State of Vermont*, I, 435.





habitants of the New Hampshire Grants to abandon all thought of joining New Hampshire, but also angered and alienated the inhabitants of many towns in its own backcountry. The New Hampshire people east of the Connecticut River were represented in political affairs by Eleazer Wheelock, founder of Dartmouth College; Elisha Paine, lawyer of Lebanon and Bezaleel Woodward, an associate of Wheelock. They refused to participate in the "revolutionary" yet conservative government established in New Hampshire.

So substantial were their grievances that delegates from the seaboard consented to meet with representatives of the backcountry at Lebanon on February 13, 1777, to investigate their complaints. The disaffected claimed "that no one of us is as yet in any degree convinced of the Justice or Equity of said plan [of representation]," and "have as much ground for uneasiness as before." The failure of the seaboard delegates on their return to impress the Governor and Assembly of New Hampshire with the seriousness of the situation caused the backcountry settlers to call a second convention at Hanover on June 11, 1776. The grievances against seaboard New Hampshire were restated. It declared that the inhabitants had been invited to send representatives to the New Hampshire Provincial Congress in May of 1775, but that "said Congress near the close of the sessions (without any particular authority vested in them for that purpose by their Constituents) did undertake to adopt a Plan of Representation whereby we apprehend they abridged the liberties of the people," by depriving a number of backcountry towns of representation in the legislature. Remonstrances against the plan of representation had been made, notwithstanding which, the Convention continued, "the same oppressive mode of Representation still continues as appears by Writs of election issued last year."<sup>30</sup>

The people of Chesterfield were so angered that they claimed that coastal New Hampshire was "influenced by iniquitous intrigues and secret designations of persons unfriendly, to settle down upon the dregs of Monarchical and Aristocratical tyranny

30. The proceedings of these conventions are printed in *New Hampshire Provincial and State Papers*, XIII, 760-764.





in imitation of their late British oppressors."<sup>31</sup> To remedy what they deemed a violation of the principle of no taxation without representation, these settlers demanded that each town of one hundred or more inhabitants be permitted to send one representative to the legislature and that every town of less than one hundred inhabitants be permitted to unite with another town to send one representative to the legislature.

This backcountry discontent was heightened by disappointment over the establishment of the Vermont-New Hampshire boundary along the west bank of the Connecticut River. The people on both banks constantly crossed and recrossed the river to transact business or visit friends and relatives. As a result, they did not view the river as the natural boundary between New Hampshire and Vermont. Bezaleel Woodward declared that it was inconvenient that the river should form the boundary between the two states. "Mountains and heights of land seemed designed by nature as the proper boundary of States, because the Communication is small on account of the difficulty of passing them."<sup>32</sup>

Thus, the local geographic situation caused inhabitants of backcountry New Hampshire towns to consider the possibility of seceding from New Hampshire and joining Vermont. The New Hampshire representative to the Continental Congress, William Whipple, was aware of this alarming state of disaffection. He wrote Meseach Weare, Governor of New Hampshire, in the winter of 1778, that the territorial integrity of their state would be endangered if the Congress recognized the independence of Vermont. "Should the last take place, I am very apprehensive that many towns on the Eastern side of the River will be fond of joining them, by which New Hampshire will be embroiled in a very disagreeable contention or subscribed to a very small compass . . . ."<sup>33</sup>

The delegate had correctly predicted what was about to happen. The inhabitants of the west bank and the inhabitants of the east bank were about to unite, the former to destroy the political

31. *Ibid.*, VIII, 423.

32. N. Y. S. L., *Avery Papers*, Bezaleel Woodward to Benjamin Bellows, Nov. 23, 1778.

33. Burnett, E. C. (ed.), *Letters of the Members of the Continental Congress* (Washington, D. C., 1921-1936), 8 vols., III, 423.





power of the Allens, and the latter to redress their political grievances by seceding from New Hampshire and joining Vermont.

When the rebellion against the Allens began, they had themselves partly to blame. At the time of the writing of the constitution, Ira appears to have given assurance to the west bank inhabitants that the east bank inhabitants would be welcome to join Vermont sometime after the constitution had gone into operation. He does not seem to have had any intention of acting upon his promise. In order to mislead the inhabitants of the west bank of the Connecticut and to nip in the bud a coalition potentially hostile to him, Ira delayed as long as possible printing and distributing the constitution, which failed to contain any provision admitting towns that did not lie within the New Hampshire Grants. This deception is undoubtedly the explanation for Ira's otherwise puzzling statement that the constitution would have been rejected if it had been submitted to popular ratification.<sup>34</sup>

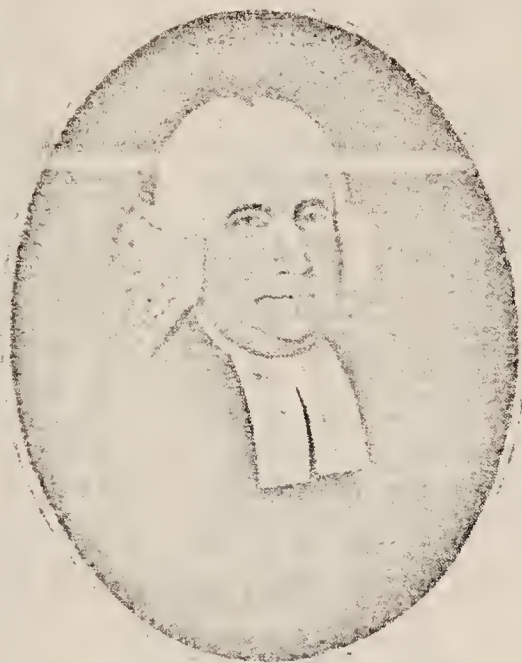
After the elections of March 13, 1778, the Assemblymen representing the Connecticut Valley took the offensive against the Allens. They introduced a bill to unite the towns east of the river to Vermont. This bill immediately caused a deadlock between the Assemblymen representing the eastern and the two western sections of the state. To break the deadlock, the proposal was referred to the towns which were asked to decide the issue by vote. Unfortunately for the Allens, the majority of the towns voted in favor of the union. Before the Allens could catch their breath, the Assembly voted on June 11, 1778, to admit sixteen New Hampshire towns.<sup>35</sup>

How they wriggled loose from this embarrassing commitment deserves telling. Ethan hastened to the Continental Congress to inquire whether it favored the dismemberment of New Hampshire. After the Congress told him that it was shocked by this aggression against New Hampshire, he returned to Vermont, and, speaking wholly out of previous character, told the silent Assembly that "except the state recede from such union, immediately,

34. *Public Papers of George Clinton*, IV, 397.

35. *Records of the Governor and Council of the State of Vermont*, I, 424.





*Courtesy Baker Library*

REV. ELEAZAR WHEELOCK  
*Educator and Politician*







## THE NEW HAMPSHIRE GRANTS: 1777-1778

Cartography by Earle Newton. Base Map: section of T. Conder's 1777 Map.

- "Vermont" Towns
- - - - - "Yorker" Towns
- ..... "Valley" Towns

- ▲ Towns adopting The Declaration of Independence Jan. 7, 1777
- Towns adopting the Constitution July 8, 1777





the whole power of the confederacy of the United States of America will join to annihilate the State of Vermont. . . ."<sup>36</sup> Ira, like his brother, adopted a new tone of respect for the Continental Congress. He deplored the breaking of the proposed Articles of Confederation by which the States resolved to respect the territorial integrity of each other. Obviously the Allens were momentarily thrown off balance by the coup of the easterners.

Shortly thereafter, they regained their composure and by slow and sure steps recovered the ground lost to their rivals. On October 21, 1778, the Allens succeeded in ramming through the Assembly a resolution which by implication excluded the sixteen towns from Vermont. In protest, the Lieutenant-Governor, two members of the Governor's Council and approximately twenty-four members of the Assembly resigned.<sup>37</sup> They gathered soon after at Cornish, New Hampshire, to find a way out of the dilemma in which they were placed by this resolution. Spurned by the Allens, rebuffed in their efforts to reform New Hampshire, the Valley folk sought to recover the initiative by making a series of amazing proposals to New Hampshire. The Convention proposed either to erect a new state composed of both banks of the upper Connecticut, or to unite with New Hampshire if that state would lay claim to all Vermont.<sup>38</sup> The purpose of the first proposal was to establish a state independent of its enemies in western Vermont and in seaboard New Hampshire. If the second proposal had been adopted, the inhabitants of the Connecticut Valley would have found themselves in a position to exercise a rough sort of balance of power between the Champlain Valley and seaboard New Hampshire in a greatly enlarged state of New Hampshire.

Both proposals were obviously dangerous to the Allens. Neither materialized because Ethan and Ira, mustering all their political power and mobilizing all their political talents, brought about the specific ejection by the Assembly of the New Hampshire towns from Vermont on February 12, 1779. "The union," wrote Ethan, "which Impolitically was for a time adhered to by a majority of

36. *Ibid.*, 416.

37. *Ibid.*, I, 422-423.

38. *N. H. Provincial and State Papers*, X, 325-326.





this State," was "in the fullest and most explicit manner dissolved."<sup>39</sup> The Allens had warded off a threat to their political power and to the sovereignty of the state itself. The ejection of the New Hampshire towns is fairly conclusive proof that the Allens espoused the cause of backcountry inhabitants against the seaboard only in so far as the backcountry could be utilized to their own advantage.

Another proof is afforded by their attitude towards Yorkers living in south-eastern Vermont towns who opposed them, but supported the American Revolution. These were strong enough to cause the Allens a great deal of trouble. Governor Clinton of New York, who gave aid and even more comfort to them, continued to act as if the new state did not exist. He made appointments to military positions and civil offices and in other ways indulged the hope of reuniting the Grants to New York by measures short of outright and violent conquest. His Yorker supporters in Vermont declared that public sentiment favored New York and that it was the opinion of most property owners that Vermont had a "great scarcity of men properly qualified to make and put into execution a wise system of laws."<sup>40</sup> In May, 1779, the Yorkers in the Connecticut Valley openly rebelled. Ethan hastened southward to secure the arrest of thirty of the ringleaders of the disaffected and he had them brought to trial at Westminster. Among them were Elkanah Day who had attended the Westminster Convention of October, 1777, and Noah Sabin who had so vigorously denounced the radical excesses at Westminster in 1775. These men were brought before Judge Moses Robinson, a Southwesterner. Although he found it necessary to rebuke Ethan for his harangue to the court, he found the men guilty.<sup>41</sup> This decision caused a great stir in New York. Governor Clinton exploded, and attempted, unsuccessfully, to involve the Continental Congress in the dispute.

By May of 1779, the Allens had overcome all the opposition to them within Vermont, had liquidated Yorker and loyalist property, had contributed to the Revolutionary cause against Burgoyne and Quebec and had exercised personal power which they had not

39. *Records of the Governor and Council of the State of Vermont*, I, 431.

40. Hall, *History of Eastern Vermont*, I, 313.

41. *Ibid.*, 339-343.





dreamed of when they assumed the leadership of the unorganized forces hostile to New York and Great Britain. First, the Allens had bought land, secondly, they had established a political device to secure it—the State of Vermont. As late as the spring of 1779 the Allens had succeeded in maintaining their grip upon the Vermont government. Still to be vanquished, however, were the Continental Congress and the Province of Quebec. These enemies proved more formidable than the Connecticut Valley leaders, the loyalists and the Yorkers.

After 1779, the Revolution no longer provided an almost perfect foil for their ambitions. In that year, a change occurred in the fortunes of the Allens which made them despair of securing recognition of Vermont by the Continental Congress. The wooing of the Congress had begun in the spring of 1776. It had failed to respond. It once more poured cold water on the Allens' efforts to erect a new state out of part of New York by asserting, on June 26, 1778, that the Grants could not derive any justification from the Declaration of Independence, or from any other act of the Congress for declaring their own independence. The Declaration of Independence, it said, stated a new relation between the colonies and Great Britain, and was not to be deemed an invitation for dissident groups within the colonies to partition any of the existing colonies.<sup>42</sup>

The Congress had moved circumspectly, fearful, no doubt, of alienating the strategic and powerful state of New York. The initiative was, therefore, left to the Allens and New York. In February of 1778, Governor Clinton presented to the New York Assembly a series of resolutions which would have met some of the grievances of Vermonters. He appears, however, to have misunderstood the complexity and variety of the causes for the Grants' secession and to have refused to draw a distinction between the grievances of settler and speculator. Moreover, he continued to aid the more conservative Yorkers in the Grants. It is a commentary on the leader of the small farmers of New York that his policies all too often took the appearance of hostility to the Vermont counterpart of his New York supporters. He appears to have

42. V. H. S., *Manuscript Acts, Conventions and State Papers, 1775-1791*, 2.





all too easily dismissed the Vermont affair as the result wholly of land speculation which must be solved on a business basis, satisfactory in the main to Yorkers holding Vermont lands, of which he was one. As a result, his proposals of February, 1779, were acceptable only to Yorkers. He offered to confirm New Hampshire Grants, if actually cultivated and if made prior to the time when New York commenced to make grants.<sup>43</sup> His proposals were totally unacceptable to Vermont speculators and settlers, because they would have jeopardized the titles to their lands. Ethan Allen dismissed them with the statement that they were "calculated to deceive woods people."<sup>44</sup>

The failure of New York to make proposals satisfactory to Vermont forced the Continental Congress, once more, to focus attention on the dispute. On June 1, 1779, the Congress voted to send delegates to Vermont to discover at first hand its attitude towards New York. On the twenty-fourth, John Witherspoon and Samuel Attlee, the congressional delegates, interviewed Chittenden. "If the Property of your Lands were perfectly secured to you," one of them asked the Governor, "would you be willing to return to the Jurisdiction of New York?" Chittenden's answer indicated how deep-seated was popular hostility to New York. "We are in the fullest sense as unwilling to be under the Jurisdiction of New York," he said "as we can conceive America would be to revert back under the Power of Great Britain. . . and we should consider our Liberties and Privileges (both civil and religious) equally exposed in future Invasions."<sup>45</sup> Even so, the land title dispute was the major stumbling-block to friendly relations with New York. When Chittenden declared that he was willing to submit the land controversy to arbitration by the Congress, the reservations which he made subverted the principle of arbitration. He insisted on "reserving to themselves in the Trial all rights, Privileges, Immunities and advantages which they had or might have by any former Grants, Jurisdiction, Powers, and Privileges on account of any Province or State heretofore had, notwithstanding any subsequent Transaction."<sup>46</sup>

43. *Records of the Governor and Council of the State of New York*, I, 449-452.

44. *Ibid.*, 454.

45. *Ibid.*, I, 520, 524.

46. *Ibid.*, I, 525.





In response to renewed pressure from New York, the Continental Congress stepped boldly into the quarrel. On September 24, 1779, it passed a resolution recommending that New Hampshire, New York and Massachusetts (which now revived an old claim to Vermont lands) empower the Congress to settle all boundary and land disputes. Behind the Congressional scenes, the major opponents of Vermont were New York and New Hampshire. The danger arose in the winter of 1779-1780 that these two states would persuade the Congress to partition Vermont along the spine of the Green Mountains by turning over the western part to New York, the eastern part to New Hampshire.<sup>47</sup>

These new threats delivered a severe jolt to the Allens. The Council appointed Ethan Allen and Reuben Jones as a committee to propose measures for the defense of Vermont. On February 1, 1780, the Council empowered Moses Robinson, Jonas Fay and Stephen R. Bradley to present Vermont's case to the Continental Congress. The Congress listened attentively to their arguments, now worn thin by repetition. Yet it did not move to recognize Vermont's independence or otherwise settle the dispute. Nevertheless, the three delegates pledged Vermont's adherence to the American cause. "We are assured," they wrote, "that nothing on our part will deter us, from spiritedly opposing the Savages of the Wilderness or the power of G. Britain. And have full confidence that neither States or individuals, that are attached to the American cause, can wish to divert us from our fixed purpose."<sup>48</sup>

One aspect of this fixed purpose was undoubtedly that of driving the British from the valley of the St. Lawrence River. The Grants folk had already participated in two unsuccessful assaults upon the Province of Quebec. In tackling the British province, the Vermonters had tackled an enemy far more formidable than New York. Vermonters, therefore, took an interest in the news that the Continental Congress proposed once more to launch an invasion of Quebec. In February, 1778, the Council of Safety busied itself with plans to aid this invasion. The Council ordered that a call be issued for three hundred volunteers, that provisions for their sup-

47. V. H. S., *Collections*, II, 25-30.

48. *Records of the Governor and Council of the State of Vermont*, II, 243.





port be collected, that twenty-five sleighs be provided and that the quartermaster would enjoin everyone's hearty cooperation in collecting hay, provisions and other articles.<sup>49</sup> On the tenth, the Council exhorted the Grants folk to stand loyally behind the expedition. "Therefore this Council flatter themselves that no further arguments [need] be used to induce every well wisher to the Freedom & Liberty of himself & Injured Country vigorously to exert every nerve on this important Occasion."<sup>50</sup>

The disappointment of Vermonters can be imagined when, on February 25, 1778, the Council announced that the intended invasion of the Province of Quebec had been abandoned.<sup>51</sup> Later, General Lafayette desired the Continental Congress to dispatch an army against Quebec but Washington opposed his plan because he feared that the French, who would take part in the invasion, might decide to remain permanently in the province. As a result of these divided counsels, the British remained on the offensive in the Champlain Valley and in the summer of 1778 they sent raiding parties against Vermont towns. Settlers were forced to abandon the central portion of the Champlain Valley and to retreat to the Connecticut Valley or to the Southwest. The raiders were dispatched by the new Governor of Quebec, Frederick Haldimand. He was born in Switzerland in 1715, had served in different European Armies including the Prussian, and in 1754 he entered the British Army. After participating in the conquest of New France, he served at various times before 1778 in Pensacola, New York and Boston. In the late spring of 1778, he arrived in Quebec as Carleton's successor.

The new Governor reported on November 21, 1778, to Lord George Germain, British Secretary of War, that his troops had destroyed the equivalent of four months' provisions sufficient for twelve thousand men and had driven the Vermonters from the Champlain Valley. "At present," he said, "there remain no more traders on either side of Lake Champlain from near Tyconderoga to Canada, and considerable settlements of them along Otter

49. *Ibid.*, I, 217.

50. *Ibid.*, I, 219.

51. *Ibid.*, I, 225.





Creek have been destroyed . . . ."<sup>52</sup> These raids brought terror and misery to the Vermonters. Instead of humbling the British, they were humbled themselves.

This turning of the tables embarrassed Ira Allen who, in addition to stating that the Congress would recognize Vermont's claim to independence, had also predicted that the Province of Quebec would be captured. By 1779 the hope of immediate recognition of Vermont's independence by the Congress had died, and the hope of immediate capture of Quebec had withered away. The purposes for which Vermonters had joined the Revolution had been only partially fulfilled. Vermont was a new state; but it lay exposed to the British and it was spurned by the Continental Congress. That a change was about to occur in the attitude of Vermont towards the British on the one hand, and towards the Congress on the other, was ominously indicated by Chittenden when he informed the Congress that unless Vermont's independence were recognized, Vermont might take such measures as self-preservation would justify.<sup>53</sup>

52. P. A. C., *Haldimand Papers* (B), LIV, 61-72.

53. V. H. S., *Collections*, II, 32.



# The Haldimand Negotiations:

## *First Phase*

The supposition that the Allens might withdraw from the Revolution and negotiate with the British had been suggested by William Smith as early as 1777. "May it not be supposed," he confided to his diary on May 9 of that year, "that if they are disavowed by Congress that they will suddenly turn about, look to Great Britain and join the army from Canada."<sup>1</sup> Smith did not know that the British had attempted as early as 1776 to persuade Ethan Allen to abandon the Revolutionary cause.

After Ethan had been released by the British, he said that he had been approached in New York in December of 1776 by a man whom he did not identify and that this person offered him lands and offices if he would declare himself a loyalist; "but as to lands he was by no means satisfied, that the king would possess a sufficient quantity in the United States at the end of the war to redeem any pledges on that score."<sup>2</sup> His exchange in May, 1778, might have been more speedily arranged but for the hostility of Yorkers. Samuel Adams, who believed that they had delayed Ethan's release, deplored the prevalence of what he described as private or partial motives among them.<sup>3</sup>

In the same year that Ethan was freed, Lord North's program of conciliation was launched by the dispatch to the colonies of the Carlisle Commission. It arrived in Philadelphia in the spring of 1778. Composed of William Eden, Lord Carlisle and George Johnstone, the commission was empowered by the British Parliament to treat with the Continental Congress for the return of the colonies to the empire on the basis of the repeal of the Intolerable Acts and the renunciation by Parliament of its legal power to tax the colonies. The terms offered by the British government in 1778

1. N. Y. P. L., *Smith Diary*.

2. V. H. S., *Collections*, II, 76n.

3. N. Y. P. L., *Samuel Adams Papers*, Adams to Archibald Campbell, Jan. 14, 1778.



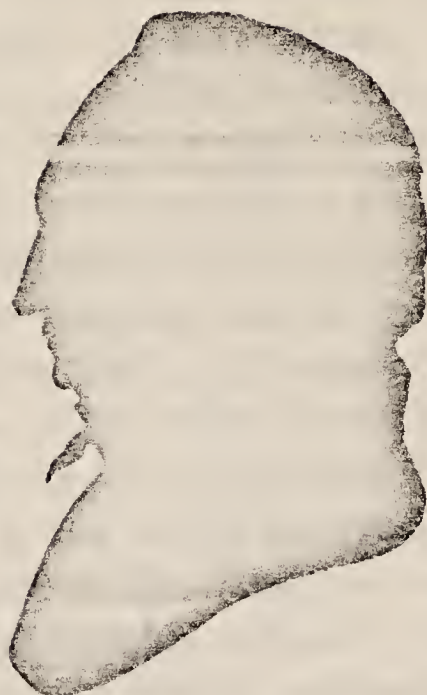




GEN. FREDERICK HALDIMAND







*Courtesy the Fleming Museum*

THOMAS CHITTENDEN  
Silhouette by Charles Wilson Peale



might possibly have been acceptable to the colonists if they had been offered in 1776; but by 1778 they were more determined than ever to become independent. The French Alliance of that year helped to strengthen their determination.<sup>4</sup>

By July of 1778 the Commission was thoroughly disillusioned by the reception accorded its proposals in the Continental Congress. In despair, the Commission reported on July 7 to Lord George Germain, that its success must come either by force of arms or "by negotiating with separate Bodies of men and Individuals."<sup>5</sup> Private negotiations resulted in the treason of Benedict Arnold and started a chain of events which led to overtures to the Allens. This new technique of negotiation was employed by Sir Henry Clinton, Commander-in-Chief of the British Armies in North America, who was carrying on the war from his headquarters in the city of New York. He found time to suggest to William Eden that Ethan Allen might be induced to withdraw from the Revolution. "He may in my opinion," wrote Clinton to Eden, December 24, 1778, "be easily tempted to throw off any dependence on the Tyranny of the Congress and made useful to Government by giving him and his adherents the property of all the Lands appropriated to the Rebels and making that Country a Separate Government dependent on the Crown and the Laws of Great Britain, this would not only attach the present riotous crew but draw to them numbers from the rebels. . . ."<sup>6</sup>

Clinton watched with growing interest the unfolding quarrel between revolutionary New York and revolutionary Vermont. He confided to Germain on January 11, 1779, "that insurgents under Allen continue to give umbrage to what is called the New York Government."<sup>7</sup> Germain was greatly interested in Clinton's information. On March 3, 1779, he wrote Clinton that he hoped by "discreet management" that the Vermonters could be detached from the revolutionary cause and that he saw "no objection to your giving them reason to expect that His Majesty will erect their

4. Van Doren, Carl, *Secret History of the American Revolution* (New York, 1941), 59-87.

5. William L. Clements Library, *Sir Henry Clinton Papers*, Box for July 1-28, 1778.

6. Stevens, B. F., *Facsimiles of Mss. in European Archives Regarding America*, no. 549.

7. Clements Library, *Clinton Papers*, Box for January, 1779.





country into a separate Province, and confirm every occupant that shall give proofs of his return to his duty, in the possession of the ungranted lands he occupies."<sup>8</sup>

In the summer of 1779, Clinton attempted for the first time to communicate with the Allens. A messenger, possibly the Vermonter, Simon Stevens, was dispatched to Ethan urging him to fall back on Canada and to cooperate with General Frederick Haldimand in Quebec. Clinton wrote Eden, when he thought he had received an answer from Allen favorable to his proposal, that it would effect a revolution. Clinton's hopes, however, were premature. The messenger appears never to have seen Ethan and to have made the report out of whole cloth. Undiscouraged, Clinton sent other messengers to Allen. According to Smith's diary, Clinton actually saw Allen in New York on July 4 or 5, 1779.<sup>9</sup>

William Smith of New York took great interest in Clinton's effort to establish contact with the Allens. He looked upon the Revolution as a mighty mistake due to the British government's inept handling of the taxation issue. His nature made him adverse to violence of any sort, except against Vermont. Seeing both sides of the quarrel between his province and Great Britain, Smith was now living in retirement near Albany, unable to decide which side to support. Lord North's program of conciliation ended his objections to British imperial policy and in August, 1778, he decided to enter the British lines. He went over to the British with the best wishes of "the scourge of the Tories", his ex-student, Governor George Clinton of New York. "You may be assured, Sir," wrote Clinton, "that former friendship as well as a Desire of seeing justice prevent my withholding from you any of your property or subjecting you to penalties. . . . therefore any Application you may think proper to make from New York or elsewhere for your Effects . . . shall as far as may be consistent with my duty Cheerfully complied with . . . ." <sup>10</sup> Because Smith was not attainted, his property was never confiscated.

His real property in Vermont was on a different footing. As a Yorker and as a loyalist, he had every reason to expect the seizure

8. P. A. C., B. XLIII. 135.

9. *Clinton Papers*, Clinton to Eden, Aug. 21, 1779; *Smith Diary*, July 5, 8, 1779.

10. N. Y. S. L., *George Clinton Papers*, Clinton to Smith, July 26, 1778.





of his lands to the last acre. Although Smith had always deplored the Vermont embroglio, as much indeed as the American Revolution, he never admitted that his participation in the illegal and collusive granting of lands in the Royal Province of New York had contributed to the partition of New York and, indirectly, to the separation of the colonies from the British Empire. As a Yorker he had resisted the claims of the New Hampshire grantees before the Revolution. After he became a loyalist in 1778, he was sorely troubled by the conflict between his sense of duty that he should do nothing to prevent Vermont's rejoining the empire and his personal interest in seeing justice done to loyalist Yorkers holding lands in Vermont under New York title.

On December 19, 1778, soon after Smith arrived in New York, he wrote Lord Carlisle a long letter in which he outlined his views of the Grants disputes and the possibilities of an impartial solution by the British of the Yorker-Yankee conflict, now transformed into a conflict between loyalist Yorkers and potentially loyalist Vermonters. The British, he said, cannot flatter themselves "with the Hope of winning over the Vermonters to the Crown side, by any Project for an impartial adjudication of the Question of Property . . . . If they acquire the whole *Legislative and Executive*, the Rights under New York will be totally extinguished and *thousands* of *loyal* as well as disloyal subjects in various Parts of the King's Dominions will be ruined." Smith recalled his and Tryon's plan to confirm settlers' land titles with certain reservations and, he said, "if members had favored it, rebellion of Grants would have ended." He did not wholly despair of the eventual success of this plan, "for your Lordship is not to conceive, that the whole People of this District are of one Mind." "The King," Smith continued, "has loyal subjects in it" who have deliberately aggravated the situation in order to "embarrass and overthrow Congressional power." To tackle this dual problem of bringing Vermont over to the British under the guarantee that the land title dispute would be compromised, Smith recommended to Carlisle that Parliament set up a council or commission to settle all such disputes. "Such a Council," said Smith, "will know how to manage not only Ver-





mont, but work upon hopes and interests and fears of many thousands in other places.”<sup>11</sup>

Smith was obviously worried by information of one Samuel Stevens that the Vermonters would join the British only if their New Hampshire titles were confirmed. In February of 1779, Smith was even more worried by information that Vermont had rejected George Clinton's proposals that all grants by New Hampshire not covered by New York grants be confirmed and that conflicting grants be arbitrated. “I advised Mr. Tryon to cause this Publication [tion] to be reprinted to show as it does that the Vermont Revolt mean to annihilate all titles under New York. There are many loyal as well as Disloyal Subjects interested against this Design both here and in England, and in and out of the King's Army.”<sup>12</sup>

The apprehensions of Smith appear to have been transmitted to Sir Henry Clinton. In the Clinton Papers in the Clements Library in Ann Arbor is an undated memorandum in Clinton's hand which touches upon this delicate question. In it he stated that the Continental Congress had avoided a decision in the dispute favorable either to New York or Vermont because either decision would destroy the property rights of many revolutionary leaders. “If Vermont chooses to join Great Britain,” he continued, “her friends will be left out . . . . Query, is object of joining Vermont equal to the expense of indemnifying friends of Government, who would lose lands in Vermont?” Clinton had two proposals in mind. One was, if Vermont abandoned the Revolution, that the British might indemnify Yorker loyalists, “mentioning the limits and granting all the lands now possesst, to the possessors, and the remainder to be granted under certain restrictions.” If this were not feasible, Clinton suggested that the lands under New York and New Hampshire title which had been granted first be confirmed and that grantees losing land by the application of this rule be indemnified with ungranted land. The remainder of Vermont lands could be granted to Vermonters and others who declared for Great Britain.<sup>13</sup>

Clinton's recognition of the complications involved in offering

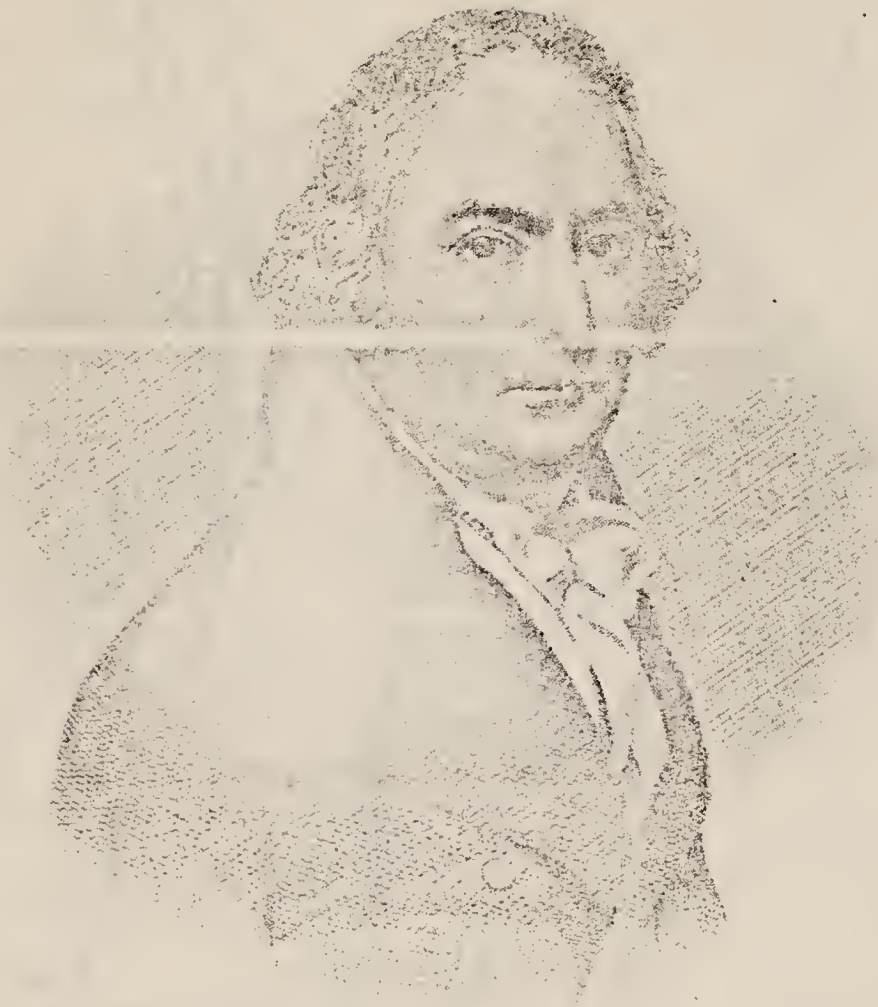
11. Stevens, *Facsimiles*, no. 108.

12. *Smith Diary*, Feb. 9, 1779.

13. *Clinton Papers*, Box for 1780.







*Isa Allen*







### "GREATER" VERMONT: 1781.

Cartography by Earle Newton. Base map: section from Conder's 1777 map.

- |  |  |
|--|--|
| ----- Most westerly claim  | ▲ N. H. towns admitted Apr. 5, 1781      |
| ----- Most easterly claim (Grafton and Cheshire Counties, N. H.) | + Vermont towns voting for admission     |
|  | ● Vermont towns voting against admission |



terms to Vermont did not prevent him from attempting to communicate once more with the Allens. John Beverly Robinson, a Virginia loyalist, who had been used in a prior attempt to win over Rufus Putnam of Connecticut,<sup>14</sup> wrote Ethan, March 30, 1780, that he could not make proposals until he knew his views, "but I think upon your taking an active part and embodying the inhabitants of Vermont in favor of the Crown. . . you may obtain a separate Government under the king and constitution of England, and the men formed in regiments. . . ."<sup>15</sup> On the receipt of this letter, Ethan met with the members of the Governor's Council; it decided to reply via Haldimand who was stationed in Quebec.

Clinton had already foreseen the difficulties of negotiating from the city of New York and had advised that the negotiations could be successfully undertaken from Quebec, from whence the Vermonters could be easily supported and supplied with provisions, arms and clothing. If the negotiations were conducted from New York, he said, letters might be lost or fall into wrong hands and supplies could not be conveniently forwarded. Knowing these drawbacks, Vermonters would be wary, he continued, of negotiating with New York but might quickly respond to overtures made from Quebec.<sup>16</sup> Germain agreed and he wrote Clinton, December 4, 1779, that Haldimand's nearness to Vermont made him the obvious negotiator and would enable him to provide for all needs of the Vermonters.<sup>17</sup> On March 17, 1780, Germain wrote Haldimand that the adherence of the Vermonters to the British cause was so essential for the safety of Canada and for overawing the inhabitants of the northern colonies, that he wished to emphasize once more that it was the government's desire that he effect it, despite the considerable expenses which it might involve.<sup>18</sup>

As late as August 1780, however, Haldimand had not heard from Ethan. He wrote Clinton on August 15 that Allen had not made any overtures to him, that he could not be trusted and that he did not think it "would be safe to trust . . . [him] and 4000 men

14. *Clinton Papers*, Box for November, 1777, Robinson to Clinton, Nov. 13, 1777.

15. This letter is printed in the Haldimand Papers which are published in part in V. H. S., *Collections*, II, 59-366, 59-61.

16. *Clinton Papers*, undated memorandum, 1780.

17. *Ibid.*, Germain to Clinton, Box December 1-9, 1779.

18. B, XLIV, 14.





in the province; for he might seize it.”<sup>19</sup> Nevertheless, the negotiations were just about to begin.

The Allens, the Fays and Chittenden, who participated in the negotiations, attempted later to conceal the true nature of them. While the Reverend Samuel Williams of Rutland was writing his celebrated two-volume *History of Vermont*, he sought information on the Haldimand Negotiations from Ira Allen. He wrote Ira on July 11, 1792, that he did not know whether it would be proper to ask him to see his papers on the negotiations, or whether Ira wished to trust them out of his hands. In this letter Williams promised that, if he saw the papers, no one else would ever see them or know that he had examined them, nor would he make any use of their contents without Ira's permission and approval.<sup>20</sup>

Ira acceded to Williams' request. After seeing the papers, Williams wrote Ira that he had delayed printing his volumes to make corrections in conformity with the ideas he had gained from the papers and from their conversations. He claimed he had incorporated everything which Ira had told him and that the account could not “be construed unfavorable to any person who was concerned in it, or by the British in Canada or elsewhere . . . .” Although he did not suppose that the account was free of errors, Williams wrote, he was certain no one could say he had given a view unfavorable to the Allens, or in any way abused the information, or the confidence which had been placed in him.<sup>21</sup>

The account of the Haldimand Negotiations in Williams' *History* may therefore be considered an Allen version. As one might anticipate, the account is wholly favorable to the Allens. The British, Williams wrote, attempted to persuade the leading men of Vermont to establish their state as a British province. The “gentlemen of Vermont”, Williams continued, inaugurated instead a correspondence consisting of “evasion, ambiguous, general answers and proposals, calculated not to destroy British hopes of seduction, but carefully avoiding any engagement or measures that could be construed to be an act of government; and it had its

19. *Ibid.*, CXLVII, 221-224.

20. N. Y. S. L., *Samuel Hunt Papers*, Box 1777-1801.

21. N. Y. S. L., *Ira Allen Papers*, Miscellaneous, 1795-1801, Williams to Ira Allen, July 28, 1794.





object, a cessation of hostilities, at a time when the State of Vermont, deserted by the continent, and unable to defend herself, lay at the mercy of the enemy in Canada."<sup>22</sup>

It is true that the British did attempt to seduce Vermonters from their allegiance to the colonial cause; but the reception accorded the British proposals was different from that accorded to a similar one made to Jonathan Trumbull of Connecticut by ex-Governor Tryon who was still in the colonies. Trumbull immediately rebuffed him. He wrote Tryon that "the present mode bears too much the mark of an *Insidious Design* . . ." All such proposals, he said, must go to the Continental Congress.<sup>23</sup> The Vermonters reacted very differently. Far from repelling the British overtures, the Allens welcomed them because they might solve all their problems by supporting the New Hampshire titles, recognizing the government of Vermont under the Constitution of 1777 and promising friendly commercial relations between Vermont and the Province of Quebec. On September 27, 1780, Chittenden responded to the overtures by writing Haldimand a letter in which he requested a cartel for the exchange of prisoners. On October 22, Haldimand replied, asking Chittenden to send a trusted agent with full power to negotiate with his representative at Crown Point or at St. Johns.<sup>24</sup> Instead of meeting either at Crown Point or at St. Johns, Ethan, Chittenden's envoy, met Justus Sherwood, the Vermont loyalist and Haldimand's intermediary, at Castleton on the twenty-ninth. This was the beginning of prolonged and tortuous negotiations with Sherwood, who was joined later by the Albany loyalist, George Smyth.

Sherwood told Ethan that Haldimand was fully acquainted with the Vermont-New York deadlock and that the General believed that the Continental Congress was only misleading Vermonters. Now was the time, Sherwood declared, for Vermont to repudiate the Continental Congress. Ethan refused to be pushed into a precipitate act because Vermonters, he argued, would "cut off his head" were he publicly to support reunion with Great

22. Williams, Samuel, *The Natural and Civil History of Vermont* (2nd Ed., Burlington, Vermont, 1809), 214-215.

23. *Clinton Papers*, Trumbull to Tryon, April 23, 1778, Box April, 1778.

24. V. H. S., *Collections*, II, 70.





Britain at this time. Furthermore, Ethan declared, Haldimand's army was not sufficiently strong to come to his aid in case the Congress should retaliate by sending a military expedition against Vermont. These considerations convinced Ethan that Vermont must remain neutral. Only in case of an attack upon the state by the Congress would he seek Haldimand's assistance. He declared that Vermont would not rejoin the empire unless the British should permit Vermonters to choose their own civil officers and recognize the New Hampshire titles to their lands. In conclusion, Ethan insisted that the negotiations should be abruptly terminated and forever kept secret if the Congress were to recognize Vermont's claim to independence. The results of this first conference were not wholly inconclusive. Soon thereafter, the Vermont troops were ordered to return to their homes. Henceforth, Vermont stood aside from the American Revolution.<sup>25</sup>

In opening negotiations with the British, Chittenden and the Allens jeopardized their alliance with Vermont revolutionaries who clung tenaciously to the political objectives of the American Revolution. To open negotiations was to break asunder, perhaps, the coalition which had supported the Allens since 1775. Only Vermonters whose interests were identical with those of the Allens would support such counter-revolutionary activities and aims. This coalition began to crumble when on November 4, 1780, Captain Hutchins and Simeon Hathaway criticized Ethan's activities in the Vermont Assembly. At the first opportunity Ethan arose "and said he would hear no more of it, as it was beneath his Character to sit there and hear such false and ignominious aspersions against him etc., and went out of the house." So frayed were Ethan's nerves that he resigned his Brigadier-Generalship and offered his services to Governor George Clinton of New York.<sup>26</sup>

The Allens, however, were supported by many Vermonters during the negotiations with Haldimand. They shrewdly played upon the fears of Vermonters exposed to British raids by claiming that the negotiations were designed solely to save Vermont from such dangers. To gain the support of other Vermonters, they repre-

25. Wilbur, *Ira Allen*, I, 195-201.

26. V. H. S., *Collections*, II, 79; B, CLXXVI, 233-237.





sented the negotiations as a desperate measure to frighten the Congress into immediately recognizing their state's independence. Many Vermonters supported the negotiations because they lacked any strong feeling of nationality. Their loyalties were deeply rooted in Vermont and only superficially, if at all, in the Continental Congress. Loyalty to Vermont was undoubtedly increased after the Vermont Assembly moved swiftly in November, 1780, to dispose of all lands within the state which had not been granted by New Hampshire or New York. Between November 4 and November 8, 1780, the Assembly voted the extraordinary number of eighty-three land grants!<sup>27</sup>

The negotiations which many Vermonters supported from opportunism were, however, supported by others who were genuinely loyal to Great Britain. Many British sympathizers and a few loyalists had remained in Vermont where they had survived the first phase of the Revolution by withdrawing from active participation in politics. Many of them were conservative Yorkers who comprised a further subdivision of the pre-revolutionary Yorker faction. This subdivision, loyalist by conviction, joined the Allens for the sole purpose of detaching Vermont from the Revolution. It re-emerged as a factor in Vermont politics after the Assembly repealed "An Act to prevent the return to this state of Loyalists" on November 7, 1780.<sup>28</sup>

The most prominent of these sympathizers were Samuel Wells, Micah Townshend, Samuel Gale and Luke Knoulton. Samuel Wells had been Judge of the Cumberland County Inferior Court of Common Pleas and the *bête noir* of Leonard Spaulding and Reuben Jones. Micah Townshend, who moved from Westchester County to Brattleborough in 1778, married one of Wells' daughters. Samuel Gale, British-born clerk of Wells' court, married Wells' other daughter. Although Luke Knoulton had come to Vermont from Massachusetts, he was a staunch sympathizer with the Yorkers and the British. During the Revolution, he lived in Newfane where he had remained in discreet retirement prior to 1780.<sup>29</sup>

27. *Vermont State Papers*, III, 152-157, 158-165, 172-179.

28. Nye, *Sequestration, Confiscation and Sales of Estates*, 40.

29. For Wells, see Hall, *History of Eastern Vermont*, II, 718-725; for Townshend, see *Records of the Governor and Council of the State of Vermont*, I, 519n; for Gale see Hall, *op. cit.*, II, 643-644; for Knoulton see *Records*, I, 344, 351-352.





Like the Allens, these loyalists endeavoured to be all things to all men. A few of them actually held office under the invisible government which George Clinton attempted to maintain in Vermont. Micah Townshend, while supporting the Haldimand Negotiations, corresponded with George Clinton.<sup>30</sup> As Yorkers, their cooperation with the Allens was never based on mutual trust or esteem. According to William Smith, their real object was the restoration of Vermont to New York and both to Great Britain.<sup>31</sup>

Another group which acquiesced in the negotiations was composed of inhabitants living on both banks of the Connecticut River. Heretofore, they had been violently opposed to the Allens because of the dissolution of the East Union of 1778. After the beginning of the Haldimand Negotiations, some of them came to the support of the Allens. This startling reversal was caused, in part, by their fear that the British would continue to raid their settlements. Above all, the Connecticut Valley people had become thoroughly disillusioned with the Revolution. Seaboard New Hampshire's shabby treatment of its backcountry inhabitants had alienated many of them from further participation in the Revolution. Such persons as Bezaleel Woodward, Peter Olcott and the Wheelocks, father and son, sincerely believed that they had legitimate reasons for withdrawing from the struggle against Great Britain. Like the Yorkers, they could not be depended upon to support all the Allens' aims and aspirations.<sup>32</sup>

An uneasy coalition of these erstwhile warring factions was cemented at a fantastic convention held at Charlestown, New Hampshire, on January 16, 1781.<sup>33</sup> The convention was attended by delegates from forty-three towns situated on both sides of the river. The purpose of the convention was to find a permanent solution to the problems arising from its hostility to western Vermont, on the one hand, and seaboard New Hampshire, on the other. The convention first voted to unite the towns on both sides of the river to New Hampshire, an unexpected decision in view of the attitude

30. *Public Papers of George Clinton*, V, 596; *Sir Henry Clinton Papers*, Report of Intelligence of Micah Townshend, April 10, 1781.

31. Stevens, *Facsimiles*, no. 108.

32. N. Y. S. L., *Stevens Miscellaneous*, An Address to the People of New Hampshire and the Other United States.

33. V. H. S., *Collections*, II, 97-98.





of the members towards that state. Nevertheless, it was carefully designed to obliterate the troublesome boundary between Vermont and its eastern neighbor and to increase immeasurably the power of the backcountry in the counsels of New Hampshire.

New Hampshire was never given the opportunity even to consider this proposal because the next day the convention reversed its decision by voting to rejoin Vermont, thus reviving on a much larger scale the first East Union of 1778.<sup>34</sup> The second East Union was engineered behind the scenes in some mysterious fashion by the Yorkers, Samuel Wells and Luke Knoulton; the New Hampshire opportunist, Peter Olcott; and Ira Allen, as was later charged by inhabitants of the east bank of the Connecticut River who refused to join in partitioning New Hampshire or in abandoning the Revolutionary cause. While the motives for the Yorkers and New Hampshire opportunists' action are clear, those of Ira require explanation. He supported the second East Union because he sought to increase whenever possible the number of persons who sympathized with the objectives of the negotiations with Haldimand. At the same time he could employ the union for the purpose of confounding New Hampshire which had renewed its claims to Vermont in the fall of 1779 and never abandoned them.

Meanwhile, a third faction awaited an opportunity to join Vermont in order to support the objective of the Allens to withdraw Vermont from the Revolution. This faction was composed of inhabitants of the towns lying between the Vermont-New York border and the Hudson River. In such small communities as Cambridge, Granville and Saratoga lived many Yorkers who had behind them, as had Vermonters, a history of troubled relations not only with the Royal Province of New York but also with the State of New York. Under the leadership of John Rodgers, the ardent democrat, this faction wished to join Vermont in order to secure the township form of local government, the democratic fruits of the Vermont Constitution of 1777 and protection from British raids.<sup>35</sup> So disaffected were the inhabitants of this region that

34. *Ibid.*, 98.

35. *Sir Henry Clinton Papers; Stevens Miscellaneous, Vermont Boundary Controversy, Memorandum on Vermont Claims, East and West, Box for Aug. 1-7, 1781.*





Germain wrote Haldimand on April 12, 1781, that he was "not without hopes that our numerous friends about Albany will find means of connecting themselves with the Vermont people" and that they would declare themselves loyalists.<sup>36</sup>

These disaffected Yorkers would not only swell the ranks of the Allens' supporters but also provide them with a springboard for further partitioning New York. Fantastic as it may now seem, the Allens plotted to annex to Vermont all the lands lying between Vermont and the Hudson and from thence to the forty-fifth parallel. This annexation would forestall the establishment of a permanent New York-Vermont boundary through Lake Champlain. Such a boundary might present obstacles to the movement of goods and people, as much as did the Connecticut River boundary between Vermont and New Hampshire.

In addition, the Allens sought to offset the increased influence of eastern Vermont in the Assembly after the second East Union, by a corresponding increase in the influence of western Vermont.<sup>37</sup> Acting in compliance with the Allens' wishes, the Vermont Assembly voted on April 11 to send delegates to a convention to be held at Cambridge. On May 15, the Cambridge Convention, over which John Rodgers presided, voted to join Vermont as the West Union.<sup>38</sup>

Before the Cambridge Convention met to vote to secede from New York, Ira had been dispatched for his first extended meeting with Haldimand's intermediaries at Ile aux Noix between the eighth and twenty-fifth of May. Germain believed that this was the golden opportunity for Vermont to rejoin the empire. Haldimand, he said, could feel secure because he had reliable information that the French government had ordered Luzerne, the French envoy to the Continental Congress, to dissuade the Americans from attacking Quebec. On May 4, he instructed Haldimand to dispatch troops to support the Allens and to cut off communications between upper and lower New York.<sup>39</sup>

Germain's optimism was not justified by the conversations between Ira and the British at Ile aux Noix.<sup>40</sup> On the eighth, Ira

36. B, XLIV, 72-80.

37. *Ibid.*, CLXXVII, 380-381.

38. See N. Y. S. L., *Vermont Boundary Controversy Papers*.

39. B, L, 209-210.

40. *Collections*, II, 109-119.





said that he was not authorized at this time to negotiate for reunion, but shortly thereafter he indicated that he was not satisfied with the terms which Haldimand had proposed to offer Vermont. He criticized them because they did not include the right of Vermonters to elect their own governor, a right which he said Vermonters would never relinquish. On the eleventh, Ira introduced a very important issue into the conversations by displaying dissatisfaction with the idea of negotiating and closing an agreement solely with Haldimand. As Sherwood later reported, Ira wished to know the extent of Haldimand's powers to treat with Vermont. Sherwood replied somewhat evasively that Haldimand would not exceed his powers. Ira then asked Sherwood if the British Parliament had passed an act concerning Vermont's readmission to the empire. Sherwood replied that Parliament had never passed such a bill; to which Ira retorted that Vermont would have to be the subject of a Parliamentary Act before Vermonters would willingly reunite with Great Britain.

During these conferences, Ira occasionally lifted the veil which concealed other reasons for refusing to declare in favor of the British. On one occasion he said that Vermont had joined the Revolution on principles he deemed just and that, for the present, for Vermont to consent to be a British province would be little more than changing sides and inviting American invasion. He would give most of his fortune to know the outcome of the war. Obviously, Ira doubted the expediency of rejoining the empire so long as the success of British arms was still uncertain.

Haldimand was despondent upon hearing incomplete reports of the Ile aux Noix conversations. Sherwood, however, wrote him that he believed that Allen had departed fully determined to press for a reunion and that he would be supported by Governor Chittenden. He described Ethan and others as impelled by self-interest rather than by loyalty to Great Britain. Ira, he added, "doubts much of success and I am afraid that none of them will have the fortitude enough to open the matter fairly in their June Assembly."<sup>41</sup>

41. B, CLXXVI, 120-121.





That an effort was made to increase the number of persons in the Assembly who favored the negotiations is demonstrated by the contents of a petition sent by the inhabitants of Rockingham to the Assembly on April 19, 1781. This petition claimed that, after the last Assembly had appointed the time and place for the election, "the friends of ministerial Tiorany," who were also the persons who had joined the Court Party after the Westminster Riot of 1775, distributed handbills urging the election of loyalists to the Assembly. The petition requested that the commissions of election of Noah Sabin, John Bridgman, Luke Knoulton, Benjamin Burtt, Oliver Lovell, Elias Olcott and Jonathan Hunt be suspended because they were "avowed Enemys to all authority save that derived from the crown of Great Britain."<sup>42</sup>

Soon after the Ile aux Noix conversations, the Assembly seethed with conflicting rumors. One member declared that he was informed that the Governor and Council were secretly negotiating with Governor Haldimand on matters which were unfriendly to the best interests of Vermont and the American States, and he peremptorily demanded that Governor Chittenden's official papers be laid before the Assembly. After a heated argument on the floor of the Assembly, a resolution was offered to force Chittenden to produce his papers. Over his objections, the resolution was passed. A few days later Ira Allen laid copies of several letters before the Assembly which referred solely to an exchange of prisoners and gave as he wrote, "so plausible an account of negotiations that spies of other states and Great Whigs [were] satisfied."<sup>43</sup>

Despite this rising tide of opposition, the Allens did not hesitate to resume negotiations by sending Joseph Fay, their trusted Bennington ally, to the foot of the lake to confer with Sherwood. At this time Haldimand doubted the sincerity of the Vermonters. He wrote Sir Henry Clinton on August 2 that they had expressed a preference for the Continental Congress if that body would recognize Vermont's independence. If Great Britain wins the war, "Vermont will gladly become loyal, if the contrary, she will declare for Congress, being actuated as well by interest as Heartfelt

42. Vermont. Office of the Secretary of State, *Manuscript State Papers*, XVII, 43.

43. B, CLXXVI, 233-237.





Attachment to their cause—In six months she will be a Respectable Ally to either side.”<sup>44</sup>

Haldimand's shrewd analysis was confirmed by Sherwood's report of August tenth, following Fay's departure. He wrote Haldimand that Fay desired to continue the negotiations intermittently until the Vermonters were ready to join the British, perhaps in the following November. "To us it appears they wish to have two Strings in their Bow that they may choose the strongest, which they are not able to determine till it is better known how Mr. Washington succeeds in the present campaign." Sherwood suspected that the Vermonters wished to protect themselves from invasion by either American or British armies "by spinning out the summer and autumn with Truces, Cartels, and negotiations at the Expiration of which they expect to hear the consequences of the present important maneuvers by Sea and Land."<sup>45</sup>

That the Allens desired to have two strings in their bow is demonstrated by Ethan's dispatching John Beverly Robinson's letter to the Congress in November, 1780, as a warning that the British hoped to fish in the troubled waters of the Congressional deadlock over Vermont. In August, 1781, while Joseph Fay was at Ile aux Noix, Jonas Fay and Ira boldly appeared before the Congress in Philadelphia, ostensibly to secure recognition of all Vermont's claims. According to the Vermonter, Timothy Beadle, this was not the real object. Beadle informed the British that the real object was to secure the Congress' rejection of Vermont's claims.<sup>46</sup> Such a rejection would enable the Allens to secure greater support in Vermont. If this interpretation is correct, the real object of the mission met with success. The Continental Congress made the dissolution of the east and west unions the prerequisite for discussing Vermont's claims.<sup>47</sup>

The soundness of Beadle's interpretation is suggested by Ira's activities after his return from Philadelphia to Vermont. In September, he was closeted once more with Sherwood. On orders from Haldimand, Sherwood applied unprecedented pressure on

44. *Ibid.*, CXLVII, 334-335.

45. *Ibid.*, CLXXVI, 207-208.

46. *Ibid.*, CXLXXVII, 228-229.

47. V. H. S., *Collections*, II, 167.





Ira to secure Vermont's acceptance of Haldimand's proposals on pain of disrupting the truce. This threat produced the anticipated results. Despite the fact that in May, 1781, Ira had said that Vermont would not rejoin the empire until Parliament had acted, he now proposed that Haldimand draft a Proclamation, that it be sealed and sent to the Vermont Assembly where it would be opened, read and acted upon in October. These instructions provided the utmost protection for himself. The dispatch of the Proclamation sealed would enable Ira to claim that the British, rather than he, had taken the initiative in sending the Proclamation and that he did not have any prior knowledge concerning its contents. The selection of October as the time for forwarding the Proclamation provided Ira additional time to await the outcome of Cornwallis' campaign in Virginia. As an added precaution, Ira advised that the British forward the Proclamation only as a last resort, and, if sent, that the British dispatch a force capable of supporting him against his patriot opponents in Vermont.<sup>48</sup>

After receiving the reports of these negotiations, Haldimand whose suspicions had been almost if not entirely allayed, began to draft the Proclamation. It offered Vermonters every prerogative of the former colony of Connecticut, except the election of the governor, promised free trade with the Province of Quebec and the confirmation of the New Hampshire titles. Ostensibly, the British promised to guarantee all the fruits of the Vermont Revolution against the Yorkers and themselves between 1777 and 1781. Actually, Haldimand included in his Proclamation the very significant statement that the terms were dependent upon "His Majesty's Pleasure" or "upon authority from one of the King's Commissioners."<sup>49</sup>

Haldimand had conscientiously exercised the greatest care to stay within his powers by making the terms conditional. It was indeed fortunate that he had done so because Sir Henry Clinton, one of His Majesty's Commissioners, had already concluded that they must be so. On November 12, Clinton had written Haldimand that the terms requested by the Vermonters were so detailed and

48. Wilbur, *op. cit.*, I, 304-311.

49. B, CLXXIX, 135-138.





all-inclusive that it would be necessary for the British government to secure an act of Parliament because the Commissioners' powers extended only to the granting of pardons to individuals and to the restoration of rebel provinces to the British Empire, and not to settling land title disputes.<sup>50</sup>

Clinton's letter was in conformity with the oft-expressed views of William Smith, Chief Justice of the Royal Province of New York, counsellor to Clinton and possibly the best-informed person in New York on Vermont affairs. Smith stoutly maintained that the North program for conciliation provided for pardons but not for the settlement of land title disputes.<sup>51</sup> If this were true, neither Clinton nor Haldimand had the legal power to promise the Vermonters an unconditional confirmation of their New Hampshire titles. Because Smith admitted that Vermont would not be so weak "as to be satisfied with Jurisdiction and Restraints upon the Power to extinguish the New York titles," he unwittingly or not jeopardized, by his advice to Clinton, the success of the British in their negotiations with the Vermonters.<sup>52</sup>

Smith's advice was probably prompted by his desire to save the lands in Vermont which he held under New York title. He was far from pleased at the prospect of Vermonters' rejoining the empire upon terms unfavorable to holders of New York titles and consequently he encouraged the efforts of Yorker loyalists in Vermont to reunite Vermont with New York and both to Great Britain. If this project were successful, his Yorker allies would destroy the New Hampshire titles, the political influence of the Allens and, perhaps, win to the loyalist cause rebel Yorkers holding Vermont lands under New York title.

Such undoubtedly had been Smith's reasons for writing Tryon, as early as 1778, that leaving the settlement of Vermont's boundaries and land titles to peace commissioners would enable the government to satisfy the rank and file of the holders of New Hampshire titles, while at the same time doing justice to the holders of New York titles. He reminded Tryon that he had discussed

50. *Clinton Papers*, Clinton to Haldimand, Nov. 12, 1781.

51. W. L. Clements Library, *Germain Papers*, undated letter; *Clinton Papers*, Smith to Clinton, Nov. 8, 1781.

52. *Smith Diary*, May 13, 1781.





this solution with him before and requested him to secure the necessary power from the British government. "Not a syllable as to the Remedy I proposed to you has been allowed on this side of the water. . . . You can't forget what multitudes in this and the eastern provinces became adventurers under the New Hampshire Grants." If the authority is forthcoming, he continued, "we shall know how to confound the Councils of the Eastern Usurpers."<sup>53</sup>

While Smith refused to renounce his Vermont lands as the price of gaining Vermont to the British, James Robertson, another Yorker loyalist, was willing to forego his lands in Vermont if that were necessary. He maintained "there is no sacrifice this province could make that I should not think overpay'd by making it the interest of Vermont" to reunite with Great Britain.<sup>54</sup> In Quebec, Haldimand leaned towards the views of Robertson, rather than towards those of Smith. "If by sacrificing [sic] a part of one," wrote Haldimand, "to the interest of the other, a Reunion of the most valuable, with the Mother Country can be Affected, I think it my Duty to make the attempt."<sup>55</sup>

The responsibility for making the decision to secure additional power in Great Britain rested upon Clinton's shoulders. His decision, as has been demonstrated, had already been made. He supported the views of Smith rather than those of Robertson and Haldimand. He concluded his instructions in his dispatch of November 12 by saying that until authority arrived from Britain to enable him to settle Vermont's boundaries and the land title dispute, he trusted that Haldimand would not have any difficulty in continuing his negotiations with the Vermonters.

A month before Haldimand received Clinton's dispatch of November 12, 1781, he had completed all preparations to forward his Proclamation which contained the conditional promise to confirm the New Hampshire titles. If incomplete records are to be trusted, the Allens might have walked into the trap prepared for them by the Yorker loyalist, William Smith, by accepting the Proclamation under circumstances and conditions potentially dan-

53. *Germain Papers*, Smith to Tryon, April 30, 1781.

54. *B*, LXXIV, 129.

55. *Ibid.*, CXLVII, 374-377.





gerous to their landed interest. This danger, however, did not materialize. The Proclamation was never forwarded nor were troops ever sent to the support of the Allens. Nevertheless, Haldimand almost did both of these. On October 3, he wrote Sir Henry Clinton that he found it necessary to issue the Proclamation and that until he heard to the contrary he would consider the East and West Unions as belonging to Vermont. He warned Clinton that he found it necessary to make good his promises.

Despite the rumors of the impending British disaster at Yorktown, Virginia, Sherwood was ready to forward the Proclamation and seemed confident that the Vermonters would accept it. His disappointment must have been keen when he received a letter from Ira on October twentieth which very earnestly requested that the Proclamation be withheld in view of the British surrender. Ira must have breathed more easily when Haldimand generously complied with his wishes. His delaying tactics had been brilliantly vindicated; his caution amply justified.

Soon afterwards, Haldimand wrote Germain that the Allens did not believe that any terms would be acceptable to their fellow-Vermonters who were now "Rioting in Excesses of Licentious Exultation."<sup>56</sup> Sherwood was likewise despondent. He declared that further negotiations with the Vermonters would be fruitless unless British fortunes took a different turn in the South. British military reverses alone, he was fairly convinced, made the Vermonters hesitate to rejoin the Empire.<sup>57</sup>

56. *Ibid.*, LV, 139-140.

57. *Ibid.*, CLXXVI, 307-308, 355-356.



# The Haldimand Negotiations:

## *Second Phase*

The surrender of Cornwallis at Yorktown was bound to affect the course of the negotiations. A Vermonter named Reed reported "that one of the Council told him it was lucky they heard of Lord C's defeat in Vermont . . . otherwise they would in a few days [have] put their acts in force, in favour of a reunion which would have ruined them."<sup>1</sup> The Vermonters, if Reed's statement is to be believed, had narrowly avoided declaring for a cause which now appeared to be lost.

If Haldimand had sent his army into Vermont, a civil war might have resulted because the negotiations were arousing strong and widespread opposition among the inhabitants of the Connecticut Valley and the Southwest. By 1781 the opponents of the negotiations had produced leaders the most capable of whom had settled in Vermont since the outbreak of the Revolution. Notable among them were the Southwesterners, Isaac Tichenor and Nathaniel Chipman.

Isaac Tichenor was born in New Jersey and attended the college at Princeton. During the Revolution, he was attached to the Quartermaster's Department of the Continental Army and lived in Bennington where he had purchased land under New Hampshire title. Nevertheless, he was a strong friend of Yorkers within and without Vermont, and he was firmly attached to the objectives of the Revolution. Indeed, Tichenor's immediate superior in the Quartermaster's Department, Jacob Cuyler of Albany, trusted that he would obey Washington's order of 1780 that no more Continental Army supplies were to be given to Governor Chittenden. In November, 1780, Cuyler requested Tichenor to discover "who [had] carried flag to the British."<sup>2</sup>

1. *B*, CLXXVII, pt. 2, 45.

2. *Stevens Miscellaneous*, Cuyler to Tichenor, Feb. 14, 1780; Nov. 7, 1780.



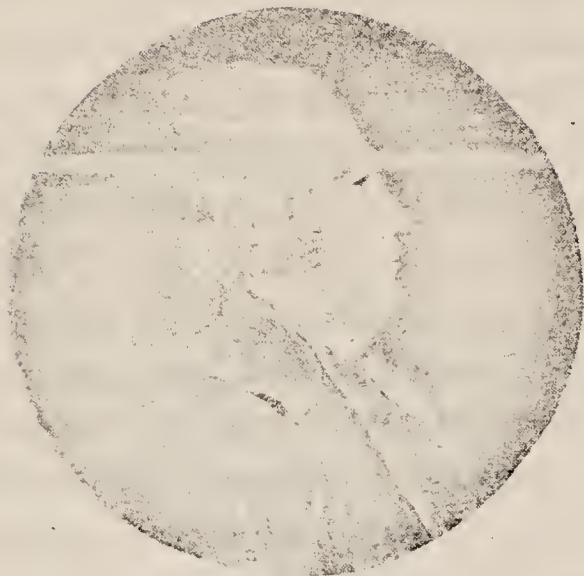




ISAAC TICHENOR







GEORGE CLINTON  
*First Governor of Revolutionary New York*



The other Southwestern leader was Nathaniel Chipman, a major figure in Vermont history. Born in Salisbury, Connecticut, Chipman attended Yale College. When the Revolution began he enlisted in the Continental Army and served for eighteen months as an officer. He resigned his commission in 1778, apparently disheartened if not disillusioned by the progress and the conduct of the war, and went in 1779 to Vermont where he settled in the town of Tinnmouth. His apparent disgust with the Revolution caused him at first to view the Haldimand Negotiations with some favor. By 1781, however, he no longer supported them. Henceforth, he emerged as the major opponent of the Allens. In 1783, Chipman joined Tichenor to urge the Vermont Assembly to declare war on the British.<sup>3</sup>

Across the mountains in the Coos Country, Jacob Bayley led another faction bitterly opposed to the Allens. Bayley was angry because the Allens had so cravenly abandoned hope of conquering Quebec. His solution of Canadian problems lay in conquest rather than in neutrality. In this he agreed with General James Sullivan of New Hampshire who hoped at this time to unite all factions behind a new assault on Quebec. Bayley's hostility to the Allens rested, in part, on personal pique. He complained in 1802 to George Clinton of their hostility to him. "I was so much in favor of your state," he said, "when our state granted lands I received none whereas if I had joined them I could have had as much as I please. . . ."<sup>4</sup> In the spring of 1782 Sherwood, who had determined to take a stand against obstructionists in Vermont, sent a party to seize Bayley. He narrowly averted capture by escaping into the woods, thanks to a warning given by Thomas Johnson, a rebel among rebels, a loyalist among loyalists.

Equally unfavorable to the negotiations was a number of inhabitants living on the east bank of the Connecticut River who had opposed the second East Union of 1781. The inhabitants of Cheshire County in "An Address to the People of New Hampshire and of the Other United States," protested against the Machiavellian methods used by the leaders who had formed this

3. R. CLXXVI, 122.

4. N. Y. S. L., *Miscellaneous Manuscripts*, no. 7070.





union. According to this address, the second East Union had been effected by an unholy alliance of Yorkers, loyalists and political opportunists who "Without professing a change of sentiment with regard to the common cause avow that the cause is not good" and who privately declared that a desire to avoid paying taxes was their principal reason for supporting the union. The address continued, "the common enemy have by policy effected more in this quarter than they have been able to do by force anywhere else." It concluded with an appeal to New Hampshire for aid, inasmuch as "we mean no more to be to Vermont in present circumstances than Canada as we view them to be the same."<sup>5</sup>

Jonathan Clark of Exeter, New Hampshire, confirmed these grave charges, declaring that the political difficulties of the inhabitants of Cheshire and Grafton counties arose from the intrigues of tories who had been joined "by those [Eleazer Wheelock and others] who have ye conducting of the Indian School at Hanover."<sup>6</sup> The *New Hampshire Gazette* of Portsmouth made identical accusations. On November 17, 1781, it published proposals intended to quiet the animosities of the inhabitants of the New Hampshire backcountry by moving the state capital inland, by meeting the demands of the backcountry for more equitable representation and by establishing a less burdensome tax system.

The charges made by the New Hampshire people against Vermont and its leaders were eagerly seized upon by Yorkers in Vermont who were loyal to the Revolution. Yorkers in Brattleborough, Guilford and Halifax charged in February of 1782 that the leaders of Vermont, without the consent of the people or that of the Assembly, had entered into a treaty with the British. When questioned in the Assembly, these leaders had emphatically denied this accusation.

Public reaction outside of Vermont to the negotiations was not wholly unfavorable. The *Connecticut Courant* of Hartford denied that they were in any way treasonable. "Unfortunately," it declared, "for those flagitious violators of the most sacred ties, the government of Vermont despised their base insidious attempts,

5. N. Y. S. L., *Stevens Miscellaneous*.

6. New Hampshire Historical Society, *Meseach Weare Papers*, X, Clark to Weare, Oct. 12, 1781.





and sent the original letters received from General Haldimand, to the United States in Congress assembled." The presence of these Vermont commissioners at the Congress in the summer of 1781 was alone proof "how false, and absurd the British accounts are, when they have objects of consequence in view."<sup>7</sup>

The Commander-in-Chief of the Continental Army did not agree with the interpretation of the *Courant*. Washington was incensed by the Haldimand Negotiations. Ever mindful of the strategic value of the Champlain Valley, he labored to keep Vermont in the Revolutionary fold. On January 1, 1782, he answered a letter from Chittenden which complained bitterly of the Congress' shabby treatment of Vermont, stating that it was his opinion that the Continental Congress would recognize Vermont's independence if the East and West Unions were dissolved.<sup>8</sup>

This letter had the effect Washington intended. It precipitated a grave political crisis. Vermonters, such as Isaac Tichenor, who were sincerely attached to the cause of the Revolution, proposed to act immediately upon Washington's opinion and advice. The Allens, who were no longer sincerely attached to the American cause, were opposed to dissolving the unions. When in February, 1782, Ira and Jonas Fay appeared in Philadelphia they truculently refused to relinquish them. Meanwhile, what they refused to do in Philadelphia was swiftly accomplished by Tichenor, who by now had great influence in the Vermont Assembly. He removed the unions as a bone of contention between Vermont and the Congress by prodding the Assembly to dissolve them on February 22.<sup>9</sup> Tichenor had inserted the first wedge designed to topple the political structure which the Allens had so skilfully erected and which was so essential to their aims.

The day after the dissolution of the unions a second wedge was inserted for the same purpose by George Clinton. On February 23, Clinton dramatically laid papers, including an item published in a Fishkill newspaper, before the New York Assembly which he claimed proved that the Vermonters had been treasonably communicating with the enemy. Clinton added that the Assembly

7. Sept. 4, 1781.

8. V. H. S., *Collections*, II, 228-232.

9. *Ibid.*, 245-249.





would understand that the person who had given the information and the means by which it had been secured ought not to be divulged. The communications, he added, came from a person who had left New York on the twenty-third of December.<sup>10</sup>

Later on, the long finger of suspicion was pointed at William Smith as the informer. In 1790, John Graves Simcoe, who during the war served in the Queen's Rangers and who was soon to be Lieutenant-Governor of the new Province of Upper Canada, flatly quoted his friend, Sir Henry Clinton, as having said that Smith betrayed the negotiations because he was in imminent danger of losing his lands in Vermont. Simcoe related the following story:

It is apprehended there are in the Secretary of State's office more papers relative to Vermont and the report of Sir Henry Clinton that his correspondence with Vermont had been destroyed by Smith, then Chief Justice of New York, to whom it had been solely and confidentially entrusted, and who endeavoured to reconcile Sir H. Clinton to the imputation by saying that he (laying his hand familiarly on his shoulder as Sir H. Clinton told me) . . . expected hourly that the Rebel Governor Clinton would make proposals and that it was impossible Sir Henry could have both Vermont and New York.<sup>11</sup>

Smith's diary, however, tells a different story. On the twenty-second of March, 1782, Smith wrote that he had been with Sir Henry Clinton for one hour. The General had told him that he guessed a Doctor Romyn had carried the intelligence which was published in the Fishkill newspaper to George Clinton. Sir Henry thereupon asked Smith if he had given him information concerning the Haldimand Negotiations. "I said," wrote Smith in his diary, "I thought not and did not recollect any conversation with him on the subject." He then told Clinton that George Clinton's papers could not do any harm because loyalist Vermonters would perceive that the information was correct but could deny its truth when expedient. Smith added that George Clinton had done a

10. *Rivington's Royal Gazette* (New York), March 20, 1782; V. H. S., *Collections*, II, 256.

11. P. A. C., "Wolford" *Simcoe Papers*, Bk. I, p. 301. The material which points to Smith as the informer has been assembled by A. J. H. Richardson, "Chief Justice William Smith and the Haldimand Negotiations," *Proceedings of the Vermont Historical Society* (N. S., IX, June, 1941), 84-114.





favor for the British by informing the world of Vermont's defection which would lead loyalists to flock to Vermont.<sup>12</sup> Smith declared in his diary that Sir Henry Clinton had neglected to send Haldimand's dispatches to England, which, if true, might explain the delay in Great Britain to attend to Vermont's wishes and the miscarriage of the negotiations. If this were true, Clinton must bear some of the responsibility for British failure to secure Vermont before it was too late. "Sir Henry's Negligence of the Papers proper for Gen'l Haldimand ever since 29 March . . . put [s] his character and conduct in a disadvantageous Light as a Man of Business."<sup>13</sup>

Sherwood took a different view than did Smith of the consequences of the divulgence of the negotiations. He wrote that the news in the Fishkill paper "proves that our Confidence has been somewhere betrayed, and God knows what bad effects it may have in that affair, particularly if Allen and Fay have been sincere."<sup>14</sup>

The disclosure of the negotiations must have been sorely vexing and embarrassing to the Allens. The Congress had been allowed to know that the British were attempting to seduce Vermonters from their allegiance to the Revolutionary cause, but not to know that they had discussed the terms upon which Vermont might rejoin the empire. Nevertheless, the information published in the Fishkill newspaper provided Vermonters loyal to the Revolutionary cause with an opportunity to use Clinton's message as a weapon for securing recognition by a frightened Continental Congress. They hoped that it would now recognize Vermont's independence in order to forestall its joining the British. Such appears to have been the purpose of the presence in Philadelphia in April, 1782, of Isaac Tichenor and Jonas Fay (the latter secretly supporting the negotiations).

The Congress did not act. It was deadlocked over the issue of Vermont's independence.<sup>15</sup> Not only were the delegates to the Congress from the powerful state of New York opposed to recog-

12. *Smith Diary*, March 22, 1782.

13. *Ibid.*, May 7, 1781.

14. *B*, CXLVIII, 24-29.

15. *V. H. S., Collections*, II, 259-262.





izing Vermont's independence, but also other delegates were personally involved in the dispute because some of them owned land under Vermont or New Hampshire titles. At least one delegate, Elias Boudinot, was in the unenviable position of owning lands in Vermont, some under New Hampshire, some under New York titles. Pierce Butler of South Carolina flatly declared that corrupt influences were at work in the Congress. "*This Vermont business is a shameful and scandalous affair . . . . I believe it is beyond a doubt that Witherspoon and some others have received large grants of land from the Vermonters to support their claim in Congress.*"<sup>16</sup>

Moreover, Southern delegates opposed Vermont's admission because they feared that it would increase the strength of the New England bloc in the Congress. The land title dispute and sectional animosities were largely responsible for the subsequent failure of the Congress to act upon Vermont's claims. Ezra L'Hommedieu wrote George Clinton on November 2, 1782, that only three or four states would vote to admit Vermont and that seven votes could not be marshalled to condemn it. The upshot was that Congress took no further action during its existence upon this perplexing and embarrassing question.<sup>17</sup>

Congressional inaction brought the Allens to the final parting of the ways from the American cause. After his rebuff of February, 1782, Ira never again returned to Philadelphia. Henceforth, the British were in a position to renew the Haldimand Negotiations with greater prospects of success, despite Cornwallis' surrender. The negotiations were resumed in the spring of 1782 upon specific instructions from Germain. He wrote Haldimand on January 2, 1782, that he was pleased to know that they were going so smoothly and that a force was gathered at Sorel to protect the Vermonters from Congress should they declare for Great Britain. Not as yet informed of the public disclosure of the negotiations, Germain was solely worried by the effect of Cornwallis' surrender upon Vermonters. "Lord Cornwallis' misfortune will I fear deter them from taking that step at present, but I trust they will not be

16. Burnett, E. C., *Letters of the Members of the Continental Congress* (Washington, D. C., 1921-1936), 8 vols., VI, 327n.

17. *Ibid.*, VI, 531.





intimidated into a submission to Congress but that you will find means to encourage them to persevere in their former purpose . . . .” He concluded by stating that to secure Vermont’s adherence to the British was Haldimand’s primary duty and that the government would not begrudge whatever expenses it might entail.<sup>18</sup>

In Quebec, Haldimand and Sherwood were sunk in pessimism at this time. The latter suspected that the political ideas of Vermonters were subject to change without notice. They would, he feared, “continue as changeable as the wind” until they were welcomed and supported by either the British or the Americans.<sup>19</sup> On the same day, he penned his reactions to a letter received from the loyalists, Samuel Wells and Luke Knoulton. “From this letter,” Sherwood said, “I am fully satisfied that nothing is to be expected from Vermont but cursed hypocrisy and deceit, I hope a speedy vengeance may overtake them before they are aware of it.”<sup>20</sup>

Additional information which arrived in Quebec tended to prove that the Allens had deceived the Vermont Assembly by declaring that the negotiations were designed solely to coerce Congress into recognizing Vermont. One Andrews informed Sherwood that Assemblyman David Smith had told him that Vermont’s aim was to hold the British at arm’s length until Congress would recognize Vermont’s independence. More alarming was his information that Squire Thomas, another member of the Assembly, declared that “an Alliance with Canada should never be and that he would fight with his knees in blood before it should happen.”<sup>21</sup> In April, Joseph Knapp, Thomas Barlow and Simon Van Camp reported that they had been forced to leave Castleton because they favored the British and had assisted British scouts who were reconnoitering Vermont. This was a shock to them, they said, because “they expected from common report to find the Inhabitants of Vermont friendly to Govt., but were disappointed especially with the common people, whom they think are the hottest rebels they have ever seen.”<sup>22</sup>

18. *B*, XLIV, 118-119.

19. *Ibid.*, CLXXVII, pt. I, 161-165.

20. *Ibid.*, CLXXVII, pt. I, 167.

21. *Ibid.*, CLXXVII, pt. I, 155-157.

22. *Ibid.*, CLXXVII, pt. I, 222.





So perilous became the position of the Allens that, in May, Ethan told a man who had recently arrived from Quebec, "for God's sake, for his own and their safety to take care of himself for the mob was watching every motion."<sup>23</sup> A short time thereafter, a mob confronted Governor Chittenden, demanding explanation for his releasing British war prisoners and loyalists and denouncing him as a traitor to the American cause. It accused him of intending to sell his country and called him and his associates traitors and tories. Chittenden retorted that he had acted upon the advice of his council and that he did not consider that he had to account to a mob for his actions. Thereupon, he ordered the mob to disperse.<sup>24</sup> Late in May Sherwood wrote that he did not doubt that Vermont would declare for Britain if the Governor, the Allens and the Fays could effect it. He feared only that the Benningtonites would find means to overthrow the Allens and their policies. Knowing that the Allens were supported by only one of several political factions, he declared that they might possibly join the empire if Haldimand could guarantee them adequate protection against their political enemies.<sup>25</sup>

Haldimand was faced with difficulties and embarrassments of his own which forced him to hesitate to send troops to support the hard-pressed Allens. On February 22, 1782, Sir Henry Clinton sent him an urgent message that William Smith had received intelligence that the French were preparing to invade Quebec.<sup>26</sup> This dispatch, received by Haldimand on April 6, 1782, undoubtedly forced him to postpone his intended expedition to provide protection for the Allens. Not until Haldimand had received assurance from Clinton sometime in April that the attack, if made, was more likely to be launched against New York, could he resume his preparations to comply with Germain's most recent dispatch.

Yet, no sooner had the French invasion scare blown away than a greater obstacle was placed in the way of successfully concluding the negotiations. On March 9, 1782, Smith wrote in his diary that the British Parliament had not passed the act which he

23. *Ibid.*, CLXXVII, pt. I, 305.

24. *Ibid.*, CLXXVII, pt. I, 349-350.

25. *Ibid.*, CLXXVII, pt. I, 303-304.

26. *Sir Henry Clinton Papers.*





claimed was necessary to enable Haldimand to close with the Vermonsters. This information had been conveyed to him in a letter recently received from Germain. "I suspect," wrote Smith, on March 9, "from Lord Germain's letter that the Difficulty respecting conciliation lays with the King and I almost despair now of that Project for dividing & so lessening the Number of our enemies." The next day Clinton, who had no doubt read Germain's letter, wrote Haldimand that he had not expected that the dispatches from Britain would contain the powers necessary to confirm all the terms demanded by the Allens. Accordingly, he desired Haldimand to continue in touch with them and to offer what encouragement he could.<sup>27</sup>

Clinton's letter proved exceedingly embarrassing to Haldimand because it conflicted with Germain's dispatch of July 26, 1781, in which he instructed Haldimand to secure Vermont at all costs. Germain's dispatch to Clinton implied that he could not offer the Vermonsters all they demanded because Parliament had not yet passed an act respecting Vermont. Haldimand complained to Clinton on April 28, 1782, that he now found it extremely difficult to act upon Vermont with any hope of success because, although Germain had given him a wide latitude to negotiate in his letter of July 26, he had narrowed it in his later dispatch to Clinton. Haldimand, now in a quandary, warned Clinton that the conditional terms which he had offered Vermonsters prior to Cornwallis' surrender had not been fully acceptable to them and that now the terms were wholly unacceptable. Thereupon Haldimand said that he was determined to launch an invasion of Vermont without first issuing a proclamation. "This Crisis is arrived," he exclaimed, "when Coersion Alone must decide the Part Vermont will take." He told Clinton that as soon as he knew that Quebec was not to be attacked, he would appear upon the frontier with as great a force as he could muster, although he foresaw difficulty in penetrating far into Vermont with the small number of troops at his disposal in Quebec.<sup>28</sup>

Despite the conflicting instructions and the inadequacy of the

27. *Clinton Papers*, Clinton to Haldimand, March 10, 1782.

28. *Ibid.*, CXLVII, 24-28.





army in Quebec, Haldimand had already permitted Sherwood to renew his overtures to the Allens. These overtures, according to Sherwood, were authorized by royal instructions which Haldimand had received that spring, but which cannot be found in the Haldimand Papers. Acting upon these instructions, Sherwood wrote Ira on April 16 that Haldimand had full powers to erect Vermont, including the unions, as a British province, provide munificently for Governor Chittenden, make Ethan Allen a Brigadier-General and Ira and his colleagues field officers.<sup>29</sup> On the twenty-ninth, Haldimand ordered Baron de Riedesel to send a considerable force to the frontiers to provide Vermonters with the opportunity to declare themselves in favor of the British.<sup>30</sup> This order confronts the historian with an intriguing question. Had Haldimand decided to cut through the maze of conflicting instructions by an immediate application of coercion? The Haldimand Papers do not provide an answer to this question.

That the Allens might have welcomed coercion by this time is suggested by the difference in Ethan's attitude before and after the Congress' rejection of Vermont's claims in the spring of 1782. Before this rebuff, Ethan had written Haldimand on May eighth that Vermont was in grave danger because Washington had threatened an invasion to force the state to recede from the East and West unions, and that Vermont, he said, would soon know whether its latest advances to the Congress had been welcomed.<sup>31</sup> After the rebuff, he wrote Haldimand on June sixteenth that the refusal of Congress to admit Vermont to the union had increased the hostility of Vermonters to the Congress more than anything it had done heretofore. All the frontier towns, he said, were in favor of his policies. As for himself, he would do everything in his power to establish Vermont as a British province. "It is Liberty which they say they are after but will not extend it to Vermont."<sup>32</sup>

If circumstances had permitted Haldimand to go to the Allens' support in the spring of 1782, Vermont might not have been forced to remain on the fence. Unfortunately, Haldimand never

29. *Ibid.*, CLXXXVIII, 461-462.

30. *Ibid.*, CXXXIX, 135-136.

31. *Ibid.*, CLXXVII, pt. I, 264.

32. *Ibid.*, CLXXVII, pt. I, 354-356.





applied force because of circumstances over which he had no control. Early in the spring his hand had been stayed temporarily by the French invasion scare, and later he was sorely perplexed by Germain's conflicting instructions. In July, 1782, his hand was stayed permanently. Clinton's successor, Guy Carleton, wrote him a letter on June 20, 1782, which forbade him to send his army into Vermont. Fortunately, the letter arrived in time to prevent Haldimand from launching his invasion. He wrote that before he had received Carleton's letter he had been engaged in preparing the expedition because he believed that Vermonters had been temporizing from the beginning of the negotiations. Luckily, he said, difficulties in securing wheat, manufacturing flour and forwarding it to Lake Champlain delayed his departure long enough for him to receive Carleton's letter which informed him that the British government was ready to make peace with the Continental Congress. "I," concluded Haldimand, "acted accordingly."<sup>33</sup>

This dispatch brought Haldimand to what he described as a "very embarrassing Crisis," because he had urged the Vermonters to declare for Great Britain and because he had given them the most emphatic assurance of his and of British support which he had only recently renewed. He complained that he was not informed of the intentions of the British government except that they were peaceable and that, as a result, he could no longer act until after he had received specific instructions. Haldimand said that in the meantime he would exercise great care that neither he nor his subordinates would act in a manner embarrassing to the British government. Professing sympathy for the Vermonters, he said that he would not encourage them to take any measures which he could not support. Nevertheless, he was determined to maintain friendly relations with the Vermonters because he was convinced that "the very best Consequences must result to the safety of this Province from an union with that people. . . ."<sup>34</sup>

Haldimand must have given a sigh of relief for having so narrowly avoided embarrassing the British government. Lord North had resigned and Lord Shelburne, his successor, had decided to

33. *Ibid.*, LV, 165-170.

34. *Ibid.*, CXLVIII, 55-60.





make peace. On April 22, 1782, Shelburne dispatched a letter to Haldimand in which he told him that the offers he had made to Vermont contravened the British government's policy of avoiding taking the offensive against the Americans. Shelburne added that he did not have sufficient confidence in the Vermonters to justify him in ordering Haldimand to go to their support. He instructed Haldimand to send his army into Vermont only in case of an American attack on Quebec. In conclusion, he made the first clear-cut and authoritative statement, since the outbreak of the Revolution, of British policy towards the conflicting claims to Vermont lands. In this statement, he abandoned the New York claimants and aligned his government behind the claims of the New Hampshire Grantees. He told Haldimand to assure the Vermonters "of His Majesty's Disposition to prefer Claims arising from Possession and Cultivation to those arising from Grants made without knowledge, and obtained I apprehend, by collusion and imposition."<sup>35</sup> Thus, the letter which instructed Haldimand to support the New Hampshire titles also instructed Haldimand to support Vermont only if the Americans attacked Quebec!

Meanwhile, loyalist Yorkers in Vermont had not yet abandoned hope that they could secure reunion with Britain. In the summer of 1782 and the following winter, Smith, Wells and possibly Knoulton sought to make political capital of the war-time economic distresses of the backcountry inhabitants of New England. They informed Quebec that the people of Berkshire County, Massachusetts, and Cheshire County, New Hampshire, were potentially loyalist. They described enthusiastically an incident which had occurred on the east bank of the Connecticut River. Here cattle were being sold for taxes, but for little because the people were intimidated from bidding. At Walpole the highest bid for a fine yoke of oxen was nineteen pence, and a cow sold for as little as five pence. One affluent person, the account continued, placed a bid of one dollar on a cow which so enraged the onlookers that he withdrew it. After the tax sale, the inhabitants went to the Liberty Pole "and cried aloud Liberty is gone, Cut it down . . . . Huzza'd aloud for King George and his Laws." To take

35. *Ibid.*, XL, 40-41.





advantage of this pro-British sentiment, Vermont loyalists suggested that a convention be held to discuss redress of backcountry grievances and when sufficiently strong to establish a loyalist government by a state convention.<sup>36</sup> Micah Townshend was reported to have secured type from New London in order to publish a newspaper which would identify the loyalist cause with the redress of such grievances.<sup>37</sup>

The Allens had no more given up hope of abandoning reunion than had the Yorkers. Before Haldimand's hands were tied by Shelburne's instructions, they attempted to secure a secret treaty with the British. Haldimand wrote Carleton on Aug. 11, 1782, that the Allens had sent an associate, James Breakenridge, to request him to conclude a secret treaty for reunion which they would ratify in order to keep the Continental Congress in the dark concerning the true sentiments of Vermonters. By this measure, Haldimand concluded, the Allens hoped to attract thousands of British sympathizers to Vermont.<sup>38</sup> Haldimand did not welcome this proposal. Sherwood wrote Ira that Haldimand refused to entertain it because it would expose Vermont to great danger from the Americans, and because he could not conclude a treaty with Vermont without its ratification by the Assembly.<sup>39</sup>

The Allens could not secure ratification by the Assembly because it reflected increasingly the growing public opposition to their negotiations. For the moment, the Allens' resourcefulness appeared exhausted. Haldimand declared on October 25, 1782, that since the evacuation of Savannah by the British, the Vermonters had communicated with him less frequently. Nevertheless, he wished to keep in communication with them and to keep alive their desire for reunion which, he said, "perhaps is only restrained by that despondency and doubt of Protection on the part of Great Britain which is so prevalent over North America."<sup>40</sup>

Despairing of being able to win Vermont for the British on their own initiative, the Allens communicated with Haldimand in

36. *Ibid.*, CLXXVII, pt. 2, 452-459.

37. *Ibid.*, CLXXXVIII, pt. 2, 45-49.

38. *Ibid.*, CXLVIII, 68-69.

39. *Ibid.*, CLXXVII, pt. 2, 428-431.

40. *Ibid.*, LVI, 6.





November, requesting him to seek confirmation of the rumor which had long been circulated before the Revolution that Philip Skene had been appointed Governor of a new province comprising the Champlain Valley. Haldimand, much interested in this request, declared on November 2, 1782, that he had high hopes "for the Skene project, and hoped to secure information of it by the following spring."<sup>41</sup>

Then in March of 1783 the Allens gave the most convincing evidence of their desire to rejoin the empire by asking Haldimand to intercede with the British government on their behalf. Ethan was reported by Sherwood as fearful that the American States would be conceded independence at Paris by Great Britain. He desired Sherwood to prod Haldimand into claiming Vermont as a part of the empire because he was determined that his state should not join the American States. Haldimand believed that the time had passed when Vermont could rejoin the British and Sherwood wrote Ethan to this effect, adding that Haldimand viewed "with concern the fatal consequences which he has so frequently predicted from your procrastination."<sup>42</sup> Nevertheless, Haldimand asked the British government to instruct its negotiators at Paris to secure the inclusion of Vermont within the remaining British possessions in North America. Sherwood wrote on April 10, 1783, that he had some reason to believe that Haldimand's representations to his government on behalf of the Allens might have induced the British to lay a claim to Vermont which he hoped might have been the reason for the rumor that peace negotiations had miscarried in Paris.<sup>43</sup> The rumor however was false. The negotiations leading to the Treaty of Paris of 1783 were never interrupted by a quarrel over the status of Vermont.

At Paris, the American negotiators, Benjamin Franklin, John Jay and John Adams, secured a treaty which was extremely favorable to the United States, largely because the British were war-weary and their government sought through a conciliatory peace to detach the American government from the French Alliance.

41. *Ibid.*, CLXXV, 300-303.

42. *Ibid.*, CLXXVIII, 151.

43. *Ibid.*, CLXXVIII, 162-163.





The British negotiator, Richard Oswald, who like Shelburne was much influenced by Adam Smith's ideas about trade, faithfully executed his government's policy and, unwittingly or not, sacrificed the interests of many Vermonters. He acknowledged the independence of the United States and conceded notable fishing privileges for Americans in the remaining British possessions in North America. The American negotiators reciprocated only to the extent of agreeing to recommend to the states that loyalists be provided a legal opportunity to recover property which had been confiscated.

If Franklin had had his way, the British would have been forced to concede the annexation of Canada to the United States. The British balked at this, however, and finally the negotiators hammered out a compromise boundary between the United States and Canada which placed Vermont within American territory. It was drawn from the mouth of the St. Croix River to its headwaters and from thence to the height of land separating the watersheds of the Atlantic and the St. Lawrence. From the elusive "northwest angle", the boundary was dropped to the Connecticut River and along that river to the forty-fifth parallel. From this point the boundary was extended along the forty-fifth parallel to the St. Lawrence. From here it was drawn through the Great Lakes to the head of Lake Superior and from thence to the point where it intersected the Mississippi River which was thought to rise farther north than it does.

The boundary provisions of the treaty wrecked the Haldimand Negotiations. The Allens' plan to rejoin the British Empire had miscarried. The British had agreed that Vermont lay within the United States and, in so doing, had sacrificed the Allens to the larger purposes of their policy towards the United States. Recognizing that the Haldimand Negotiations would violate the treaty which was being concluded, Lord North, who was again Prime Minister, instructed Haldimand on August 8, 1783, to abandon them.<sup>44</sup> It was now Haldimand's duty to inform the Allens that he had been forbidden to come to their support in any circumstances whatever. By the late spring of 1784 the Allens knew the

44. *Ibid.*, XLIV, 119.



contents of North's letter. Their reaction was described by Haldimand in a dispatch he sent home on June 29, 1784. The Vermonters, he said, fully realized the advantages of connecting themselves with the British; but they also realized that without British aid and support they could not publicly declare in favor of Great Britain without inviting political catastrophe.<sup>45</sup>

The Treaty of Paris marks the end of one era in Vermont history and the beginning of another. It caused the Allens to review and to revise Vermont's foreign policy in the light of the altered situation.

45. *Ibid.*, LVI, 241.





# Quebec's Commercial Dependency

"Vermont," declared Ethan Allen on April 18, 1783, "shall remain independent of independency,"<sup>1</sup> thus indicating his aversion to the other American States whose independence Britain had recognized. Nevertheless, Vermont was dependent upon a dependency because geography and economics tied Vermont to Quebec, a British dependency. The establishment of that part of the forty-fifth parallel lying between the Connecticut River and the St. Lawrence River as the international boundary threatened to prevent the free flow of goods between the Province of Quebec and the State of Vermont.

Twelve months before Lord North forbade Haldimand to give any assistance to the Vermonters, the political negotiations had merged with commercial negotiations designed to admit Vermonters into the Quebec market. As early as July, 1782, George Smyth said that they were determined to trade with the Canadian province. Soon afterwards, two Vermonters were forbidden to enter Quebec when they appeared at the Loyalist Blockhouse which had been built by the British at the foot of Lake Champlain.<sup>2</sup> Haldimand approved stopping them, but added that he wished them to be treated kindly because he wanted to encourage those Vermonters who had expressed a desire to rejoin the empire. Nevertheless, he flatly refused to open trade so long as Vermont was an independent state, or until the Vermont Assembly had formally requested trading concessions. Such instructions, he said, might cause Vermonters to redouble their efforts to effect what he described as a reconciliation.<sup>3</sup>

The loyalist faction in Vermont proposed to make use of the

1. B. CLXXVIII, 173.

2. *Ibid.*, CLXXVII, 389.

3. *Ibid.*, CLXXIX, pt. 2, 47-48.





desire to trade with Quebec as the means of convincing Vermonters that joining the American confederation would destroy their chances for such trade. In pursuit of this policy, Samuel Wells advised Haldimand on August 22 to permit salt to be sold to Vermonters.<sup>4</sup> William Smith agreed with Wells that this trade would open the eyes of Vermonters to the undesirability of connecting themselves with the Continental Congress.

At this time, the Allens violently opposed trade with Quebec, chiefly because they feared that it would be interpreted by the Congress as additional and convincing evidence of the sincerity of their political negotiations with Haldimand. Although Haldimand sympathized with Wells' suggestions and aims, he agreed with the Allens that so open a demonstration of where their commercial interests lay would bring down upon them the wrath of the Congress.<sup>5</sup> As a result, Sherwood reassured the Allens that Haldimand foresaw the probable consequence which they had suggested of a Quebec-Vermont trade at this time.<sup>6</sup> Yet the British General declared later that if Vermonters wished to drive cattle to Crown Point or Onion River during the winter he would take them in exchange for salt and other necessities.

Haldimand's agents reported in the autumn of 1782 that persons were coming from as far south as Poughkeepsie to the Loyalist Blockhouse with beef and other provisions which they did not wish to sell to General Washington because he offered only paper money "which they universally detest."<sup>7</sup> Late in November, Sherwood was alarmed to discover that smugglers were active in violation of Haldimand's orders. One Nicholls declared that he had "money plenty" and was told by "some body in Authority to have liberty to trade in Montreal, and that if he is now deny'd that privilege by G'd he will do no more Secret Service for Govt."<sup>8</sup>

Another trader, one Holmes, arrived later at the Blockhouse with beef; and, when stopped, refused to carry it back because he had heard that trade had been opened with Quebec.<sup>9</sup> Thereupon

4. *Ibid.*, CLXXVII, pt. 2, 452-453.

5. *Ibid.*, CLXXIX, pt. 2, 75-77, 171-172.

6. *Ibid.*, CLXXIX, pt. 2, 110-113.

7. *Ibid.*, CLXXVII, pt. 2, 558.

8. *Ibid.*, CLXXVII, pt. 2, 609.

9. *Ibid.*, CLXXVII, pt. 2, 609.





the officer in command at the Blockhouse ordered the beef to be pitched into the lake in the presence of the garrison as a warning to other traders.<sup>10</sup>

On January 7, 1783, Captain Weatherby of Charlestown, New Hampshire, arrived at the Blockhouse. He had planned to go to Quebec with two hundred pairs of shoes but when Holmes told him what had been done with his beef, he left his shoes in the Onion River Valley. He introduced himself as a friend of the Allens and as a leader in the formation of the second East Union. He declared that he was loyal to the British and that "his publick harangues have . . . fomented & kept alive the general discontent against the measures of Congress which so universally subsist in that Country." Despite his assertions, he was told that his shoes, like Holmes' beef, would be sunk in the lake if he attempted to carry them into the province.<sup>11</sup>

What the Allens did not wish the British to permit others to do, they wished to do in secret. In March, Ira communicated with Haldimand on commercial matters. On the twenty-fourth, he requested a loan from Montreal merchants, offering land as security.<sup>12</sup> A month later, Ethan sent a verbal message to Haldimand proposing that loyalists who did not choose to return to the American States be permitted to settle in the northern part of the Champlain Valley, and saying that the private cabinet of Vermont would offer every inducement for those still living in the states to move to Vermont. Sherwood wrote Haldimand that Ethan hoped thereby to build a party sufficiently strong to swing Vermont over to the British.<sup>13</sup> If Haldimand had not objected to Ethan's proposal, many loyalists might have remained in Vermont. In May of 1783 he wrote Sherwood that it was impossible for him, in view of the approaching peace, to take such a step.<sup>14</sup> Haldimand had been determined to prevent all settlement of the Vermont frontiers north of Otter Creek.<sup>15</sup> In May he relented, how-

10. *Ibid.*, CLXXVII, pt. 2, 630.

11. *Ibid.*, CLXXVIII, 6-14.

12. *Ibid.*, CLXXVIII, 363-364.

13. *Ibid.*, CLXXVIII, 185-186.

14. *Ibid.*, CLXXIX, pt. 2, 185-188.

15. *Ibid.*, CLXXVIII, 155-158.





ever, to the extent of exempting settlers on the Onion River and in June he ordered that settlers on Grand Isle were not to be molested.<sup>16</sup> The reason Haldimand gave for permitting these settlements was his desire to express, as long as possible, his friendly disposition towards Vermonters.<sup>17</sup>

The arrival of definitive terms of peace and the collapse of the Allens' political negotiations with Haldimand changed the attitude of many Vermonters towards the British. "I never was at any time", wrote Sherwood to Haldimand's secretary, April 27, 1784, "so much embarrassed as I have been since the declaration of peace." He said that loyalists and rebels were arriving at the Blockhouse in order to trade or to secure the release of relatives in the British Army. These persons, he continued, boasted that they were independent, that the ground upon which the Blockhouse stood was American and that it would soon be in their possession. When Sherwood refused to permit trade, they said, "that it would not be a month before they will trade, and no thanks to me, and that they will take good care that no Dam'd Tory shall have the Liberty of trading . . . [and] that they will soon have a merchant of their own in this Blockhouse etc. etc."<sup>18</sup>

The Allens were more circumspect and diplomatic in their dealings with the British than were these Vermonters. Although the Treaty of 1783 had nullified their efforts to reunite Vermont to Great Britain, they trusted that commercial concessions might be forthcoming. On May 29, Ira and Jonas Fay wrote Haldimand requesting a contract to supply beef to the British troops. Neither wished to discuss politics. On July 10, Ethan offered to sell young cattle which he claimed would make good beef.<sup>19</sup> Haldimand replied that if the terms of the peace permitted free trade he would be happy to purchase food in Vermont, adding that his only reason for not accepting his proposal was that his stores were plentifully stocked.<sup>20</sup> Shortly thereafter, George Smyth wrote Ethan that Haldimand was willing to allow him to drive milch cows into the province and to forward beef "to take the Chance of the Mar-

16. *Ibid.*, CLXXVIII, 203-204; CLXXIX, pt. 2, 274-276.

17. *Ibid.*, CXXXVIII, 255.

18. *Ibid.*, CLXXVIII, 187-188.

19. *Ibid.*, CLXXV, 200-201, 202.

20. *Ibid.*, CLXXV, 203.





ket . . . .”<sup>21</sup> Taking advantage of this information, Jonas Fay left Crown Point with a drove of cattle.<sup>22</sup>

Thus far Haldimand had permitted a limited trade solely as an indulgence on his part. He had indicated clearly that trade would be legalized only if his instructions permitted. Nevertheless, a different reason was given by the loyalist, William Marsh, at that time in Vermont. “Many leading Gentlemen, in this part,” he reported, “often inquire of me the Reason Why the Commerce between the Province of Quebec and the State of Vermont is not open; my answer is that his Excellency General Haldimand wishes to see whether the American States comply with the articles of the treaty.”<sup>23</sup> Marsh knew that Haldimand had discovered the utility of continuing to hold the western posts extending from Lake Champlain to Detroit, as a means of forcing the American States to comply with the articles of the treaty by which loyalists were permitted to return in order to secure the restoration of their property and to collect debts. According to the historian, A. L. Burt, Haldimand had found a plausible reason for retaining the western posts until the American government would accept the British contention that the treaty did not give the Americans exclusive title to Indian lands but only the exclusive right to treat with the Indians for the cession of their lands. He was embarrassed because his government had overlooked its pledges to the Indians by turning them over to the Americans by the Treaty of 1783. Haldimand apparently feared that the evacuation of the posts without an American promise to treat with the Indians would cause an uprising similar to Pontiac’s Rebellion of a generation before.<sup>24</sup>

In Vermont, the Allens were prepared to make the necessary sacrifices—short of restoring confiscated property—to secure commercial concessions. According to William Marsh, the Vermonters would court British favor because the best part of their state was commercially dependent upon Quebec.

21. *Ibid.*, CLXXV, 205-206.

22. *Ibid.*, CLXXVIII, 253.

23. *Ibid.*, CLXII, 187-188.

24. Burt, A. L., *The United States, Great Britain and British North America* (New Haven, 1940), 82-140.





The first public sign since the peace that the Allens wished to encourage the return of loyalists, came in a letter signed "Spectator" which was published in the *Bennington Gazette* on July 24, 1783. Spectator was undoubtedly Ira Allen.

The people of Vermont would be wise to consider their peculiar situation, it being very different from any State in the Union... first from its lying contiguous to Canada, and the extensive Connection which must unavoidably take place in commerce with that state: & secondly because it has not the advantage of allies to call to its aid in case of invasion. Vermont must remain at peace [and]... regulate internal government and study best mode to obtain peace & honor & be at peace with them all. It is a God-like attribute to forgive the repentant, & no less honourable to treat an enemy with humanity, & consequently politic for any power, to admit the restoration of subjects when it appears evident that by such admittance strength and wealth is added to the State.

This was one of two letters which Ira had written on this subject. In answer to one of them, a Vermonter published an anonymous letter in the *Gazette* on August 21 which refuted the argument advanced by Ira in his first letter in favor of permitting the return of loyalists. Spectator, he said, contended that because Vermont was adjacent to Quebec its trade must necessarily be with Canadian merchants and, unless Vermont permitted tories to return and become citizens of Vermont, the British would take affront and prohibit trade between Quebec and Vermont. To this argument the Vermonter replied erroneously that it was generally known that, before the Revolution, merchants in the Champlain Valley purchased most of their goods in New York. Even if one were to admit that all of Vermont was dependent solely upon the Quebec market, the unalterable determination of Vermonters that loyalists should never return to their state and become citizens would not necessarily cause the Canadian government to retaliate because he did not believe that loyalists would be the only or leading merchants in the province. Furthermore, he did not believe that loyalists were held in higher regard in Quebec than





were Vermonters. In closing, he charged that Spectator owned large tracts of land near the forty-fifth parallel which loyalists had offered to purchase if they could be admitted as citizens of Vermont.

After the failure of the political negotiations with the Allens, Haldimand became aware of their attitude of realpolitik tempered with friendship which they adopted towards him and his province. He had already analyzed the political temper of the Vermonters in a letter to Lord North of October 24, 1783. "They make no scrupel of telling me," he wrote, "that Vermont must either be annexed to Canada or become Mistress of it, as it is the only channel by which the Produce of their Country can be conveyed to market; but they assured me that they rather wished the former."<sup>25</sup>

It was largely in this spirit that the Allens set an example for other Vermonters by acts of friendship to loyalists. In the winter of 1783-1784, the youngest son of George Smyth stayed in Vermont where he was entertained by Chittenden, the Allens and the Fays.<sup>26</sup> Similarly the Allens treated kindly the loyalist, William Marsh. "Many of those whom had of late been my Greatest Enemy," he said on November 4, 1783, "Ware amongst the first to take me by the hand & bid me Wellcome." He declared that not a single unpleasant incident had marred his visit to Vermont.<sup>27</sup>

The return of Marsh was followed by that of other loyalists. Simon Stevens returned to take an honorable place in Vermont's political life by attending the Vermont Convention which ratified the American Constitution in 1791.<sup>28</sup> Likewise, Abel Spencer returned to become a candidate on the Federalist ticket for United States Senator.<sup>29</sup> Other loyalists who rose high in Vermont after the Revolution were Luke Knoulton, Samuel Wells and Micah Townshend. The latter was actually Secretary of State from 1781 to 1789. Loyalists even sought and received grants of land. Luke Knoulton obtained Bakersfield and Samuel Wells secured a tract

25. B., LVII, pt. 2, 574-579.

26. *Ibid.*, CLXXVIII, 324.

27. *Ibid.*, CLXXXI, 309-311.

28. *Records of the Governor and Council of the State of Vermont*, III, 466.

29. *Ibid.*, IV, 169.





of several thousand acres. So long as the Allens were in substantial control of the government of Vermont, loyalists, Yankee and Yorker, were permitted to return to Vermont and to participate in its politics.<sup>30</sup> Samuel Wells' dislike of the republican form of government did not deter him from lingering there. So friendly was the attitude of some Vermonters towards the British that two who were not loyalists named children after the British hero, Guy Carleton. John Spafford named a son born in 1778 Horatio Gates; one born in 1787 Guy Carleton.<sup>31</sup> The other Vermonter, Noah Lee, named a son born in 1787 Guy Carleton, and a son born in 1807, George Washington!<sup>32</sup>

All was not smooth sailing, however, for loyalists who returned to Vermont. James Rogers, whose wife was living on a farm to which the Assembly had permitted her to return, met with rough treatment. He said that he had returned to the state after receiving assurances from some of the leading Vermonters that he would not be insulted or otherwise maltreated by the populace, assurances not wholly warranted either in his case or in that of other loyalists. Rogers was chagrined by his reception in Vermont.<sup>33</sup> Asa Porter, a Yankee loyalist, said that two loyalists who he indicated might have been residents of Newbury had been roughly treated after they had returned to dispose of their property and to move with their families to Quebec. They were caught, Porter claimed, by a party consisting of General Bayley's family, "whipped, thrown into gaol... taken out, clubbed, released & told not to come back."<sup>34</sup> The reason for such treatment was obvious to loyalists. One of them, Rannah Cossit, a preacher, declared flatly that Colonel John Peters "might return to his home without giving offence to anyone but Gen. Bayley, Thomas Johnson and a few others who have got his estate."<sup>35</sup>

The failure of many Vermonters to welcome returning loyalists was the chief obstacle to the realization of the plans of the Allens.

30. V.H.S., *Collections*, II, 159-162, 166-167; *Manuscript Assembly Journals*, 1781-1785, 180.

31. *A Genealogical Record of the Descendants of John Spafford* (Boston, 1888), 76-77.

32. *John Lee of Farmington, Connecticut, and His Descendants* (Meriden, Conn., 1897), 220-221.

33. *B.*, CLX, 160.

34. *Ibid.*, LXXV, pt. 2, 38.

35. *Ibid.*, CLXXVIII, 136.





On June 28, 1784, William Marsh reported that some Vermonters wanted to obey articles five and six of the treaty which provided that no obstacles should be placed in the path of loyalists desiring to secure the restoration of their property and the payment of debts. He said, however, that the majority of Vermonters was opposed to these articles because so many had purchased confiscated loyalist property. Personal property, such as notes, bonds, books and other papers were gone beyond recall. Debts, he said, will be paid only to British subjects and not to American loyalists. As to personal treatment, there was, he maintained "no just cause of complaint, as the principal people in authority have exerted selves in our favour."<sup>36</sup>

Loyalists actually approached the Allens to beg their aid in regaining their possessions. In September of 1784, the loyalist, Alexander Grant, met Ira Allen who told him that his lands were under New York title and that Vermont was determined to support the New Hampshire title. He said that he might initiate a law suit, but he was fairly certain that it would be decided in favor of the New Hampshire title.<sup>37</sup> The loyalist, Samuel Gale, saw Ethan at Bennington in October, 1784, and complained to him of the infamy of the law confiscating loyalist estates. Ethan virtually apologized to Gale, saying that Vermont thought that it was doing "God [']s Service in seizing properties of the Tories; but that he hoped nothing further than had been done would be done."<sup>38</sup>

So favorable for a time were the reports from Vermont concerning the possibilities of securing restoration of loyalist property, that the British Commissioners on Loyalist Claims declared on December 23, 1784, that they would not consider claims for losses in Vermont.<sup>39</sup> The failure of the Allens' policies forced the Commissioners to make a new statement regarding these claims. Perceiving that the optimism of earlier reports had not been justified, they stated in their twelfth report that they would now entertain

36. *Ibid.*, CLXII, 318-320.

37. *Ibid.*, LXXV, pt. 2, 185.

38. N.Y.P.L., *Transcripts of Loyalist Claims*, I, 193.

39. *Ibid.*, XI, 26-27.





claims for losses in Vermont.<sup>40</sup> One hundred and fifty-two persons eventually presented claims for losses sustained in Revolutionary Vermont prior to 1781. Of this total approximately sixty were former residents of the state who put in claims for compensation totalling 100 £ more or less. The remainder were absentee owners of Vermont lands.

Both resident and non-resident loyalists endeavoured to secure the restoration of their property.<sup>41</sup> Timothy Lovell, who had lived in the Grants before the Revolution, returned to bring suit against the persons who had purchased his lands. They retaliated by denouncing Lovell to the Assembly, declaring that he had boldly returned to Vermont and that he had "used all the arts that falsehood and dissimulation could suggest" to regain possession of his property, and had "endeavoured by every fallacious gloss & shew of evidence to excuse and extenuate his Conduct . . ."<sup>42</sup>

That arch-foe of Vermont, William Smith, believed for a time that he had not lost all his lands in the state. He placed in the hands of the Loyalist Commissioners several claims at different times. On July 28, 1786, he waived all claims to his Vermont lands because he believed that they would be restored, except such lands as were held under New Hampshire title. In testifying to Tryon's losses before the Commissioners on December 5, 1786, Smith said that his own lands in Vermont had sold for as much as twenty and for as little as four shillings currency, per acre. He had sold wild lands near the Canadian border for only eight shillings per acre. These lands, he testified, had been sold either in 1781 or 1782.<sup>43</sup> In 1788, Stephen R. Bradley, a former supporter of the Allens and Smith's attorney, served writs of ejectment on tenants on Smith's lands which had escaped confiscation by Vermont. As late as 1792, he was still employed for the same purpose. What happened to his lands after 1792 is not wholly clear.

Other loyalists did not lose their property because they had friends who were willing to hold the deeds to the lands while the actual owners were absent from Vermont. Samuel Gale, for ex-

40. *Ibid.*, XI, 58.

41. Nye, *Sequestration, Confiscation and Sales of Estates*, 171-173.

42. *Ibid.*, 124.

43. *Transcripts of Loyalist Claims*, XLIV, 622-626; XLV, 133-134.





ample, admitted that his Vermont lands had not been confiscated because his politically influential father-in-law, Samuel Wells, had held the title in his absence. Gale's losses arose wholly from his failure to pay land taxes after Wells' death.<sup>44</sup> Other loyalists never released their hold on their real estate because it had never been listed for confiscation by the Assembly or, if so listed, had been overlooked by sequestration authorities. Lands not libelled, or libelled and not sold by the state were claimed by loyalists upon their return. They resumed possession of their lands or hailed into the Vermont courts persons who had purchased their lands illegally. Whitehead Hicks, for example, sued to secure the restoration of property which had never been libelled.<sup>45</sup> To loyalists whose property had been legally confiscated and sold, Governor Chittenden very obligingly gave certificates of confiscation which they could present to the Loyalist Commissioners.<sup>46</sup>

The certificates which Chittenden signed were not prompted entirely by genuine friendship for loyalists. They were only one of several means which Vermonters employed in order to conciliate the Canadian authorities and make them more receptive to their proposals to admit Vermonters into the Quebec market and sources of supply. After championing the return of loyalists, the Allens and Chittenden endeavoured to secure a commercial pact in Quebec. On March 24, 1784, the Council swung into action by sending to the Assembly a bill to empower the Governor to make treaties of amity and commercial intercourse. The Assembly balked at this proposal, rejecting it on April 8. Two days later, the Council, without authority from the Assembly, delegated Ira Allen to proceed to Quebec to negotiate a commercial treaty. In July, Ira prepared to go to Quebec by providing himself with a letter for Haldimand which was signed by Chittenden but obviously written by himself. The letter was a typical Ira Allen production. He restated the theme which almost obsessed him. He referred to the "contiguousness of this Government" to Quebec, the convenience of water-carriage to lower Canada, and for these

44. *Ibid.*, XLIII, 487-493.

45. Nye, *op. cit.*, 147.

46. *Transcripts of Loyalist Claims*, XXVII, 435, 324-327, 318-323.





reasons requested a reciprocal free trade treaty between Quebec and Vermont.<sup>47</sup>

Delayed some months by what he described as pressing business, Ira did not arrive in Montreal until early in September. On the tenth he wrote Haldimand that the Vermonters desired a trade pact which could be made because Vermonters considered themselves unconnected with any power and inclined by geography to trade with the Province of Quebec.<sup>48</sup>

On the seventeenth, Haldimand replied to Ira's letter. He stood firmly by his instructions, stating that he was not empowered to open trade. Yet until he received specific instructions from Great Britain, he would permit the importation into Quebec from Vermont of a number of articles including grain and beef, and the exportation to Vermont from Quebec of necessities. Governor Chittenden, he trusted, would take steps to prevent "on the part of His people an Illicit Trade from being carried on, which interested people have already found the means in some degree to introduce."<sup>49</sup>

Although Haldimand's concessions fell short of Ira's expectations, they helped to meet his and other Vermonters' immediate needs. Ira believed that Haldimand's failure to place the trade upon a permanent and legal basis was due to the fact that he had gone to the Canadian province without the authorization of the Vermont Assembly. After his return he redoubled his efforts to secure the Assembly's approval of his going to Quebec to resume negotiations. On October 28, 1784, the Assembly, reversing its former stand, empowered Ira and Jonas and Joseph Fay to go to Quebec to secure a commercial treaty. Of the three men appointed, only Ira made the trip. When he arrived in Quebec, he found that Haldimand had returned to England and that he would have to confer with Lieutenant-Governor Henry Hamilton. Ira requested free trade for Vermonters, upon the same footing as British subjects, and financial aid to build a road from the boundary to St. Johns. Soon afterwards, Hamilton convened his council. After deliberation, the council gave its opinion, as Ira

47. B, CLXXV, 277-278.

48. *Ibid.*, CLXXV, 278.

49. *Ibid.*, CLXXV, 278-281.





reported, that it did not have sufficient power to open a trade upon the terms which he requested, but declared itself willing to do all in its power to facilitate the making of a treaty. The council agreed to permit the export of goods to Vermont, peltries excepted, and the import of food and other produce into Quebec.<sup>50</sup>

The refusal of Haldimand, Hamilton and their councils to put the Vermont-Quebec trade on a permanent and legal basis was due to their responsibility as British officials to enforce the British Acts of Trade and Navigation. These acts prohibited, by and large, trade between British colonies and foreign countries except through the British entrepôt. The purpose of these acts was to build a self-sufficient empire, based on ships, colonies and commerce which would sustain, in the last analysis, the naval power necessary to maintain Britain's world position. British mercantilism had, in part, enabled Great Britain to win her uphill commercial and naval struggles against all rivals prior to 1783.

After the Revolution the vision of building a self-sufficient empire was apparently shattered. Britain, so said critics of the Acts of Trade and Navigation, must espouse the free trade policies as advocated by Adam Smith in his *Wealth of Nations*. This war and post-war reaction from mercantilistic restrictions was, however, brief. It was swiftly succeeded by an almost evangelical movement led by Lord Sheffield, William Knox and British shipbuilders, in support of the Navigation Acts. The arguments Sheffield used to convince the British public of their continued utility were ingenious, and in the long run they proved to be false. According to him, the self-sufficient empire could be restored by stimulating the economic development of the remaining British North American colonies which could in time fill the gap created by the withdrawal from the empire of the richer, more highly developed American colonies. Quebec and the Maritime Provinces could supply the British West Indies with lumber, flour, fish and other provisions and articles so essential to the prosperity and productivity of these staple-producing islands. He maintained that the Americans, if excluded from the West Indian trade,

<sup>50</sup> P.A.C., Q, XXIV, pt. 2, 281-285, 289-290; *Records of the Governor and Council of the State of Vermont*, III, 398.





would not be able to retaliate by laying prohibitive duties upon the importation of British manufactures because the immaturity of their economy would make them dependent upon British manufactures for many years to come. His arguments, rather than those of Adam Smith, as espoused by Lord Shelburne, formed the cornerstone of the post-revolutionary commercial policy of Great Britain.<sup>51</sup>

While Sheffield and other British leaders were debating the commercial future of the empire as a whole, Canadian merchants were discussing the commercial potentialities of their province. The American Revolution presented serious problems to Canadian merchants no less than to their British fellows. The newly-established boundary, by cutting across the natural avenue of trade provided by the St. Lawrence and the Richelieu, excluded Canadians from the rich sources of supplies and rich markets which were developing on the north-western American frontier.

The distress of Vermonters at their exclusion from the Canadian market was no greater than the distress of Canadian merchants at their exclusion from the American market and source of supply. "We have no communication with the neighbouring States," wrote Hugh Finlay, the Deputy Postmaster-General of the Province of Quebec, on March 6, 1784. He asserted that permission to trade with the Vermonters would empty the stores of Montreal and Quebec. The Governor's attitude towards this trade, he said, made Canadian merchants "grumble confoundedly."<sup>52</sup> He said that the situation of the Vermonters made them dependent upon Quebec for manufactures and that "the whole of the surplus produce of their lands around Lake Champlain . . . must pass down the River St. Lawrence in British ships, or remain on hand and perish."<sup>53</sup> Albany merchants, he acknowledged, could supply Vermonters with necessities, but they would not think of transporting their heavy raw materials overland to the Hudson, while they had a free, short, safe and easy conveyance by water to St. Johns.<sup>54</sup> From Quebec, Vermont's raw materials

51. Graham, G. S., *British Policy and Canada, 1774-1791* (London, 1930), 116-132.

52. P. A. C., C.O. 42, XVI, 82.

53. *Ibid.*, XVI, 214.

54. P. A. C., S, XXI, 32.





could be carried in British ships to Great Britain where they would be exchanged for British manufactures, thus affording a market for British merchants without expense to their government.

Turning from commercial to political considerations, Finlay predicted that Vermonters would either petition to rejoin the empire or seize the first opportunity to conquer Quebec.

I can easily suppose to myself, considering the race they have sprung from, and the maxim handed down from father to son, that if we refuse to trade with them, they will, as soon as ever they can (and the other states will assist them, and France will probably lend her aid) force their way into the Province and take possession, under pretence that we, formerly the Strongest, invariably debar'd them from making the most of the situation that Providence had placed them in, by blocking up the great River St. Lawrence, the only practicable outlet for the produce of their Country which rots on their hands for want of a market.<sup>55</sup>

Implicit in Finlay's letters is the program upon which the Canadian merchants embarked to remove the boundary as a barrier to trading with that part of the United States whose geography connected it with the St. Lawrence. Firstly, Canadian merchants hoped by establishing free trade in the interior to attract all the raw materials of the American settlements in the basin of the Great Lakes and Lake Champlain to the banks of the St. Lawrence, where these raw materials could be exchanged for British manufactures. Secondly, these merchants desired permission to export American raw materials from the province to Great Britain upon the same terms granted to Canadian raw materials. The survival of the Navigation Acts provided them with the means of securing a competitive advantage over American seaboard merchants whose exports of raw materials from the same source would be subject in Great Britain to the duties levied on foreign raw materials. By establishing free trade in the interior and maintaining mercantilistic prohibitions upon the sea, Canadian merchants hoped to erect a "Commercial Empire of the St. Lawrence"

<sup>55</sup>. C.O. 42, VI, 214-215.





capable of centering in Quebec the trade of the inhabitants of the Great Lakes and the Champlain Valley.<sup>56</sup>

Because it was essential to the success of their program that free trade be opened in the interior, Canadian merchants were shocked by the arrival in the spring of 1786 of an Order in Council of March 24, which prohibited "the importation of all goods and commodities of the growth and manufacture of the United States into any of the ports of the Province of Quebec."<sup>57</sup> This Order in Council was issued largely upon the advice of Haldimand, now in England, and his successor as Governor of the Province of Quebec, Guy Carleton. Neither advised exempting Quebec from the operation of the Navigation Acts nor did they foresee any necessity to import American articles for consumption in the province. From the standpoint of the Canadian merchants, the order was distasteful because they wished the Navigation Acts to be applied only to the trade by sea. Forthwith they set to work to remove this barrier to their commercial ambitions.

The first step taken to erect the Commercial Empire of the St. Lawrence was the removal of the onerous restriction upon the inland trade of the province. In the spring of 1787, a Committee of the Council decided that Vermont was not to be considered a part of the United States. The new Governor, Guy Carleton, now Lord Dorchester, had by this time changed his mind on the subject of the commercial future of his province. He declared that the Order in Council of March 24 referred to the trade carried on by sea rather than by land. His interpretation of the Order in Council was the basis for the issuance of a provincial ordinance of April 30, 1787, opening an inland trade in raw materials with Vermont.<sup>58</sup>

The importation into the province of Vermont raw materials was bound to offer competition with similar articles produced by the farmers and lumbermen of Quebec. Particularly aggrieved were loyalists. They viewed with disgust and alarm the efforts of the Americans, aided and abetted by Canadian merchants, to re-

56. See Creighton, D.C., *The Commercial Empire of the St. Lawrence*, 87-115.

57. *Ibid.*, 104-105.

58. *Ibid.*, 105.





turn, commercially at least, to the British fold. As early as December 18, 1786, loyalists living in New Oswegatchie had petitioned the Canadian government for relief from the competition of Vermonters in the Canadian market. They requested "that a stop may be put to the importation of Timber or Lumber of any kind . . . from Vermont or any of the American States, and some encouragement given to the Loyalists to supply such articles to Quebec."<sup>59</sup>

These loyalists may have looked to London to prohibit this open and flagrant violation of the letter and spirit of the Navigation Acts, which had been so hotly defended in Britain and so recently re-applied to Quebec. If they did, they were doomed to disappointment. After reviewing the subject of Canadian commerce in July, 1787, the Board of Trade empowered the Canadian government to regulate at will all inland trade. Using its new powers, the Legislative Council of Quebec decreed, April 14, 1788, free import via Lake Champlain of timber, lumber, naval stores, cereals, dairy products, cattle, poultry and fish. Thus the first breach desired by Canadian merchants and Vermonters in the British commercial system was effected—free trade in raw materials.<sup>60</sup>

In view of the Order in Council of March 24, 1786, the attitude of the Board of Trade towards an inland trade with Vermont comes as a distinct surprise. Why was a colony of Great Britain permitted to pursue its commercial opportunities by employing the device of free trade in the North American interior? The answer lies in the fact that the Navigation Acts could only effect an increase in British seapower when applied to the commerce of seaboard or island possessions. The commerce of inland colonies, such as Quebec, was upon a different footing. A direct trade by land or inland navigation with the interior American settlements could not unfavorably affect the growth of British seapower. This was a fresh-water trade carried on by flat boat or canoe, rather than a salt-water trade carried on by sea-going vessels. Further-

59. Shortt, A., Doughty, A.G., *Documents Relating to the Constitutional History of Canada, 1759-1791* (Ottawa, 1918), 945-946.

60. C.O. 42, XII, 27; *Report of the Public Archives of Canada for 1914-1915*, 203-204.



more, Quebec as an inland colony had a long land frontier which could never be adequately defended against resourceful smugglers, as Haldimand had long since discovered. Thus the "natural tendency" of merchants of Quebec and Vermont to trade with one another was not curbed by the British government.<sup>61</sup> But the trade by sea between Quebec and Great Britain remained subject to the restrictive provisions of the Navigation Acts for in this trade the Acts operated, as intended, to increase British shipping and hence British sea power.

61. Graham, G. S., *Sea Power and British North America, 1783-1820; a study in British Colonial Policy* (Cambridge, 1941), 93.





## The Swiss Policy of Vermont

Long before the issuance of the Canadian ordinance of April, 1787, which opened trade between Vermont and Quebec, the Allens had demonstrated that their business difficulties necessitated additional commercial concessions from Quebec and Great Britain. At first glance, however, their commercial prospects appear to have been excellent without additional concessions because the three brothers who survived the Revolution, Ethan, Ira and Levi, were engaged in many business activities.

Ethan was at his farm in Sunderland. It was a goodly farm, containing three hundred acres of excellent intervale lands of which forty acres had been improved. He was as determined as ever that Vermont should not join the Congress. "Property & the Independence of this state are our main objects. . . . Heaven guarded Vermont why then should we pay the Continental debt or any part of it."<sup>1</sup>

Much more active was his younger brother, Ira, who was at Colchester busily engaged in settling and selling his lands and in preparing for the sale of large quantities of lumber in the Quebec market. His favorable location for trade with the Canadian province made him an object of envy to rival promoters elsewhere. James Whitelaw of Ryegate in the Connecticut Valley complained as early as the fall of 1783, "people at present rather incline to settle on Lake Champlain and the rivers falling into the same which makes the price of land here low."<sup>2</sup> The means by which Ira realized upon his lands were not so attractive as their situation. As Yorkers had done before the Revolution, he was leasing, whenever possible, rather than selling his lands as the Yorker, Lewis R. Morris, did after the Revolution. Across the Lake, Will Gilliland boasted that he now sold his lands, whereas he had for-

1. Stevens *Miscellaneous*, Allen to S. R. Bradley, Nov. 6, 1787; 1776 *Americana: A Catalogue of Autograph Letters and Documents Relating to the Declaration of Independence and the Revolutionary War*. (Philadelphia, 1926), 13.

2. V.H.S., *James Whitelaw Papers* Whitelaw to Scots Settlers, Oct. 16, 1783.





merly leased them. "Before the glorious revolution took place," he said, "the subscriber would not sell, but let his lands. But now the happy period is arrived, when in this land of freedom all are on an equality, he disposeth not of his land by way of lease but by sale only . . . ." <sup>3</sup>

Ira supplemented his landed activities by lumbering. All settlers recognized that the magnificent stands of timber in the valley provided the first cash crop of the land. John Delafield, a New York land-owner, advertised for sale 1348 town lots in Plattsburg, claiming that the timber was "worth more on many spots than the Price of the Land, its value arising from the easy mode of conveyance to the West-India and European markets." <sup>4</sup>

Not content with his activities as landlord and timber merchant, Ira resumed his efforts to make Colchester the center of the trade of the Onion River Valley. He proposed to cut a road from Colchester across the Green Mountains to the Coos Country. This road would enable farmers to bring ashes and other articles from the Connecticut Valley to Colchester from where they could be shipped to Quebec. Philip Skene, whose lands at Skenesboro had been confiscated, recognized the commercial importance of the water highway afforded by the lake. When he claimed compensation, he wistfully declared that his lands "from admitting vessels of 200 tons burthen would have been very shortly a place of great trade." <sup>5</sup>

The third brother who survived the Revolution was Levi. He had vacillated between loyalism and rebellion, finally being precipitated into loyalism by his brother, Ethan. During the Revolution, he was absent from Vermont. He related that he went to the British Province of East Florida where he immediately launched a vast land-speculation. It did not materialize because, as he explained, the province was restored to Spain after the Revolution. Spurned successively by Vermont and East Florida, Levi turned northward, soon appearing in the Province of Quebec. Whereas Ira and Ethan chose to remain in Vermont, Levi settled in Sep-

3. *New York Packet*, May 13, 1784.

4. *Ibid.*, Aug. 2, 1784.

5. *Transcripts of Loyalist Claims*, XLV, 202.





tember, 1786, in the small town of St. Johns on the Richelieu. From here he exercised watch and ward over his lands in St. Albans which had escaped confiscation during the war. He hoped to develop at St. Johns a thriving beaver hat manufactory and to join his brother Ira in the forwarding and sale of Vermont timber. Simultaneously, he cast covetous eyes on the Quebec lands east of the Richelieu which had not yet been granted.<sup>6</sup>

Each brother, therefore, had every reason to look to the future with confidence. Yet the expectation of economic prosperity from the admittance of Vermonters' products to the Quebec market was not being realized so rapidly or so smoothly as anticipated, largely because the Allens had been forced to launch their business activities in the midst of the prolonged business depression which followed the Revolution. The wartime prosperity of Quebec had been almost wholly the result of the market provided by the presence of the British armies. Their withdrawal after the war was bound to cause a decline in business prosperity. By 1784, the trade of the province was in the doldrums. "The present state of the Commerce . . . was never at a lower ebb," complained one merchant in the fall of 1784. Canadian merchants who had taken advantage of "the very ready & unlimited credit" of the war boom now found it difficult to pay their debts which "has not only been the ruin of many individuals here but has nearly ruined the London Merchants, and has given a shock to the trade of the province [from] which it cannot immediately recover . . . ."<sup>7</sup>

The pressure applied by London merchants upon Quebec merchants to pay their debts was in turn applied by Quebec merchants upon the Allens who were their debtors. Quebec was a colony of Great Britain; nevertheless, it was developing its own colony, Vermont. The chief colonists were the Allens. "We are rich poor Cursed rascals BY GOD," declared Ethan in August, 1786, "Alter our measures or we shall be a hiss a proverb and a byeword and a derision upon earth."<sup>8</sup>

The post-war depression in Quebec had brought so disastrous

6. N.Y.S.L., *Ira Allen Papers, 1774-1793*, n.d.; *Wilbur Photostats*, no. 3370.

7. C.O. 42, XVI, 72.

8. *Wilbur Photostats*, No. 4908.





a decline in timber prices as to make it impossible for the Allens to pay for the goods they had purchased in Quebec. "Timber & all lumber is Quite a drug," wrote Levi to Ira on August 18, 1786, "none got more than 5 d. per foot Except myself."<sup>9</sup> Such prices forced the Allens to go further into debt. The following July, Levi was sunk in pessimism. "Would sooner take my pistols and commence a highwayman," he wrote to Ira, July 7, 1787, "than ask for any more goods until payments are actually made." He warned his brother that the family's credit and that of Vermont depended upon the productivity of his mills and the lumber he could forward to Quebec. "It is a most ridiculous farce," he declared, "to pretend to trade without making payment."<sup>10</sup>

Even Levi found it difficult to pay his debts. "The money I borrowed of Scott & Griggs," he wrote Ira, November 11, 1788, "to pay land tax has damned my honour among other things, not to mention interest." He was convinced that the Scotch merchants of Montreal were the bitter enemies of the Allens. "D-n—D-n them all keep yourself Clear of Canady till I return or you hear of my fate . . . ."<sup>11</sup>

In moments of objectivity, Levi recognized that the Scotch merchants were justified in refusing to extend further credit either to Ira or to himself. "Goods going out of this Province to Vermont are sel[dom] or ever paid for, which was mentioned in the Coffee-House and I must Confess with Too much truth." He added, "it is entirely a Joake to pretend the least thing In this province anytime here after through the Endless Ages of Eternity . . . . lastly I must know facts, or by God, I will quit this province, I will never live nor wish to live to be imposed on by any damned Scotch Rascals etc."<sup>12</sup>

Ira also recognized that the charges levelled against them in Quebec were justified. He who had refused to be awed either by Haldimand or by George Washington was forced to bend the knee to the timber firm of Fraser & Young. The boards he sent to

9. *Ira Allen Papers, 1777-1793.*

10. *V.H.S., Newspaper Clipping.*

11. *N.Y.S.L., Levi Allen Papers.*

12. *N.Y.S.L., Levi Allen Papers, 1787-1789.*





the firm in the spring of 1789 did not bring a high enough price to pay the debt he owed it. He wrote the firm that he hoped to get on his feet by discharging his old debts with the proceeds from the sale of his lands and to buy only as much as the income from his timber should warrant, with the exception of a small advance from the firm to be paid the following spring in boards delivered to Wolfe's Cove.<sup>13</sup>

While Ira was in the toils of Fraser & Young, Levi was having difficulty with the Quebec Customs because of his efforts to export beaver hats and skins from the province to Vermont. Judging from his correspondence, Levi hoped to make St. Johns the center of hat-making for North America and Europe, if not the entire world. Unfortunately, however, his hats were seized at the Vermont border. Some doubts arose as to the legality of their seizure. Hugh Finlay wrote, however, that it was not consistent with British mercantilism to encourage such a trade because Canadians ought to send all such articles to the mother country.<sup>14</sup>

Customs regulations contributed to the embarrassments of the Allens, even when their trade was a wholly legal one. At this time, a sloop was anchored at Point au Fer within gunshot of Fort Howe. All rafts and boats going in either direction were required to come alongside the sloop and present clearance papers from St. Johns if bound to Vermont, or to present a manifest if bound to Quebec.<sup>15</sup> Justus Sherwood warned Levi that he must obey the customs regulations. "I believe," wrote Sherwood to Levi, "you may soon accumulate a competent fortune in trade at St. Johns, but I caution you as a friend to observe strictly the Regulations and Rules of this province respecting trade, otherways you will give your enemies the handle they will not fail to improve against you."<sup>16</sup>

Once past the Customs, trouble lay ahead in the rapids of the Richelieu. Fraser & Young, no less than the Allens, were much concerned by the small amounts of timber which actually got over

13. *Ira Allen Papers*, 1774-1793, Ira to Fraser & Young, June 5, 1789.

14. *Levi Allen Papers*, 1787-1789, n.d., badly burned.

15. C.O. 42, XII, 40-41.

16. *Levi Allen Papers*, 1787-1789, n.d.





the rapids. After the timber had safely negotiated them, it faced a tedious voyage of some weeks before Quebec was reached. The result was a great spread between the value of timber in the Champlain Valley and its value when delivered at Quebec. Before the Revolution, James Glennie had testified that Champlain Valley settlers received only one tenth or one twelfth of the price their timber sold for in Quebec.<sup>17</sup>

Although the business embarrassments of the Allens were largely the result of the collapse of the Quebec timber market, they laid the blame for their troubles wholly upon the grasping character of Quebec merchants and the difficulty of negotiating the rapids of the Richelieu. The Allens commenced forthwith to remove each of these difficulties.

To free themselves of the Quebec middlemen, the Allens endeavoured to secure contracts directly with the British to supply their Navy with masts. While in Quebec in July, 1787, Levi offered to furnish the British government with "as large masts, etc. as ever have been cut in America [which] are now to be had on Lake Champlain and can be transported to Quebec...." He quoted prices twenty percent lower than those set before the Revolution by Edward Perry, contractor for the Royal Navy at Portsmouth, New Hampshire.<sup>18</sup> His offer was submitted to the Lords Commissioners of the Admiralty. They reported that arrangements already had been made to secure masts elsewhere. The Navy Board, however, showed interest in Levi's proposal. On October 16, 1787, the Board declared that "in the following August it would treat for navy supplies from St. John River, Lake Champlain, or any other part of British territories there."<sup>19</sup>

Still another way by which the Allens could break the hold of the Scotch Rascals was to induce the British to build a ship canal around the rapids of the Richelieu. Canadian merchants also were interested in this proposal, but they wanted a barge rather than a ship canal. A barge canal would lower costs of transportation to and from Vermont yet prevent ocean-going vessels from sail-

17. S, XXVII, 128.

18. Q, XXVIII, 107.

19. P.A.C., *Governor-General's Papers* (G Series), I, 172-173.





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SAMUEL PETERS' MAP OF THE CHAMPLAIN AND UPPER ST. LAWRENCE VALLEYS





ing up the Richelieu to Lake Champlain. The Canadian merchants opposed a ship canal because they clung tenaciously to their position as prosperous middlemen in the trade between the interior settlements on both sides of the boundary and Great Britain. They maintained that the Navigation Acts should be enforced to prevent Americans navigating the fresh and salt waters of the province as they would if they were to sail down Lake Champlain via the Richelieu and the St. Lawrence to the open sea. The British government gave full support to the Canadian merchants.

For opposite reasons, the Allens desired a ship rather than a barge canal. They hoped that a ship canal would enable them to establish direct connections between inland Vermont and overseas markets and sources of supply. The reaction of Canadian merchants to such direct connections can readily be imagined. The St. Lawrence would thereby be reduced to the status of a mere seaway or corridor connecting Vermont and the outside world. Although the Allens would have to reckon with the hostility of Canadian merchants, the opposition of the British government might be overcome if the Allens would promise to use only British ships.

As early as 1785, Ira had broached the subject of a ship canal to Haldimand. He obliged by appointing Captain Twiss, who had supervised the building of a small canal south of Montreal, to survey the Richelieu and prepare an estimate of the cost of building a ship canal round the rapids between St. Johns and Chambly. After Twiss had made his survey, he estimated the cost of a canal sufficiently large to pass ships of 200 tons at 27,000 £ sterling. Many years later, Ira declared that such a canal "would promote agriculture, population, arts, manufactures, handicrafts, and all the business of a civilized state, regulated by wise laws, sound policy, a deep sense of religious duty and morality."<sup>20</sup>

The civilizing influences of the ship canal were secondary, however, to the effect of such a canal upon the Navigation Acts. Did Vermonters plan to use their own or British ships if the canal

20. *Records of the Governor and Council of the State of Vermont*, III, 411.





were built? Lieutenant-Governor Hamilton asked Ira this question in the spring of 1785. Ira replied, as Hamilton reported on April 7, 1785, to Lord Sydney, British Secretary of State for the Home Department, "that the Vermonters could not be so ignorant as to expect to have permission to trade thro' the Province except by means of British ships, and on principles which might be perfectly consonant with the regulations the trade of Great Britain is subject to."<sup>21</sup>

The Twiss survey was never approved by the British government; but a similar proposal was made in London in 1786 by Silas Deane, a Connecticut loyalist who, like the Allens, had switched sides during the Revolution. He proposed to build a ship canal around the Richelieu rapids, the use of which by Vermonters would be restricted in favor of British interests. He advised that Lake Champlain be converted into a British lake by requiring that all vessels on the lake be of British registry, and by permitting Vermonters only "smaller open boats."<sup>22</sup> Before Dorchester left London to go to Quebec, Deane secured his approval. Dorchester told Sydney that the canal project would be politically beneficial and commercially useful and that he had advised Deane to lay his proposal before him. Deane would have gone to Quebec if he had not been, as Edward Bancroft reported, "too ill to go himself to Champlain." Deane's death soon afterward put an end for a time to agitation for a ship canal.<sup>23</sup>

After failing to secure the canal, the Allens pressed the Quebec government to make commercial concessions greater than those made in 1787. By 1788, Vermont products were exported free of duty to Quebec but not to Great Britain. Probably Vermont products were being shipped from Quebec as if they were Canadian products; but, from a legal standpoint, all Vermont imports had been admitted by the Canadian government solely for the purpose of consumption within the province. A year before the ordinance of 1787, Levi had petitioned that Vermont products be admitted free of duty into the British West Indies. "This," ex-

21. Q, XXIV, pt. 2, 282.

22. P.A.C., *Report of the Public Archives for 1889*, 83-85.

23. Q, XXVIII, 160; XLIII, pt. 3, 681.





claimed Thomas Ainslie of the Canadian Customs, "is asking all the Commercial privileges of a British subject in the Plantations except owning of vessels."<sup>24</sup>

In 1787, Levi requested permission on behalf of Vermont to export Vermont products from Quebec in British bottoms upon the same terms enjoyed by British subjects. The Quebec government took no action upon this petition. His failure caused him to write Ira two years later that the prohibition against re-export of Vermont products from Quebec was "a most shameful restraint upon the good people of Vermont . . . ."<sup>25</sup>

The failure of the Allens to obtain any more commercial concessions showed clearly to them the disadvantages of being economically attached to but politically wholly detached from the British Empire. In 1787, they feared that their difficulties would be made more complex by the probable effect of the Philadelphia Constitutional Convention of 1787 upon their fortunes. Prior to the writing and the adoption of the Constitution, the Allens had taken advantage of the weaknesses of the government under the Articles of Confederation to negotiate openly with Quebec for commercial concessions. They had been free so to act without fear of the attitude of the American states which were absorbed in solving the economic and political problems of the "Critical Period." The failure to solve them had led to a strong desire to replace the government under the Articles with an effective central government.

This desire for a new government arose from a small group of nationalists who were thinking in terms of the common interests of the states and from the demands of the business community for a government more responsive to its needs. The political problem was that of discovering a form of government which would be effective in its power to tax, regulate interstate commerce and conduct foreign relations and which at the same time would respect the tradition of local self-government and the various sectional interests. This problem was brilliantly solved at Philadelphia by the adoption of the federal principle of a division of

24. S, XXII, 162.

25. *Ira Allen Papers*, 1774-1793, Levi to Ira, May 22, 1789.





the powers of government between the new national government and the state governments, granting the former national powers, and the latter powers more regional or local in character.

This new federal government met with little if any favor in Vermont. The appeal to a sense of nationality had no effect on the Allens because the old central government and the State of New York had been their inveterate enemies and because the other American States had seemingly been indifferent to their plight. An appeal to the Allens as businessmen could bring no favorable response because they could not conveniently trade with the American states nor did they wish to do so. If any political connections were to be more closely knit, so reasoned the Allens, they should be those between Vermont and Great Britain.

The changes soon to be wrought in the states by the adoption of the Constitution did not escape the attention of Dorchester, nor did one of the reasons for this change. "Many wealthy individuals," wrote Dorchester, October 14, 1788, "have taken a decided part in favor of the new plan from the hope that the Domestic debt...may be funded, & that the various paper securities of which they are holders to a great amount, purchased for a trifle, may rise to their full value." In this same letter, he stated that the change in the states had been carefully noted by the Vermonters. They feared "that if a strong national government shall be settled, it may produce claims upon them for the past and unfavorable offers for the future."<sup>26</sup>

The opinions expressed by Dorchester upon the situation in Vermont were those of Ethan Allen who had communicated with him during the preceding July on political matters. On July 16, 1788, Ethan had written Dorchester that he was fearful that, as soon as the Constitution was adopted and the new government effectively established, Vermont might be coerced into the Federal Union. The supporters of the Constitution were fully aware, he said, of the reason for Vermont's refusal to associate with the other American states. "Vermont is locally situated on the Waters of Champlain which communicate with those of Saint Lawrence

26. N.Y.P.L., *George Bancroft Transcripts*, I, 313.





and contiguous to the Province of Quebec where they must be dependent for trade, business, and intercourse which naturally incline them to the British interest." Vermonters, he continued, are warmly opposed to joining the other American states because they would then be exposed to Britain's displeasure which might go so far as to prohibit or hamper the Vermont-Quebec trade. Despite serious obstacles in the way of the supporters of ratification of the Constitution, including what Ethan, the ex-radical revolutionary, referred to as the "licentious notion of liberty", the Constitution might be adopted, in which case Vermont's independence would be threatened. If the new government should attempt to subjugate Vermont, Ethan wished Dorchester to supply him with arms. Vermont, he said, might then yield its independence as it would have done in 1780, "could Great Britain have afforded Vermont protection," for, as he assured Dorchester, "the leading men of Vermont are not sentimentally attached to a republican form of government." If the new government did not attack Vermont, Vermont would re-establish the "Haldimand System" of neutrality and trade with Quebec upon the freest and friendliest terms until events might later make possible a public declaration by Vermont in favor of rejoining the empire.<sup>27</sup>

Although Ethan spoke of reviving the Haldimand system and of rejoining the British Empire, his proposals actually implied that he and his associates would no longer be satisfied to return to the empire as a British colony or dependency. Since 1781 or 1782, the Allens had progressed towards greater maturity in their ideas as to the kind of political relationship between Vermont and the empire which would be most beneficial and advantageous to their commercial and landed interests. By 1788, or thereabouts, the Allens would be satisfied with nothing less than a Vermont-British alliance and reciprocal trade treaty. Such an alliance and treaty assumed that the relationship would be that between sovereign and equal states. Vermonters now insisted that they maintain full control over their internal affairs and enter into foreign commitments only if they deemed them in Vermont's interest.

27. Q, XXXVI, pt. 2, 448-454.





As Vermonters looked about them in the world, they drew a parallel between their own country and Switzerland. Land-locked, mountainous Switzerland had for some hundreds of years preserved its independence, and Vermonters were determined to preserve theirs in alliance with a great power, if necessary. This comparison was often made by Vermonters. John Scott of Newbury petitioned the Assembly on October 23, 1787, for government subsidization of manufacturing. Vermont, he said, was destitute of seaports and exposed to the jealousies of more powerful neighbors for most of its imports, "which although properly the luxuries, are by the Generality of Mankind, deemed the necessities of life." He pointed to Switzerland, "which by well regulated internal police & encouragement given to Linen and Lace manufacturing, tho' lying in a Mountainous and Barren Clime, & Centre of the most potent States of Europe, Had had consistent command of cash and Lived happy and independent for Hundreds of years."<sup>28</sup>

Ethan did not live to promote any further the Swiss Policy. His death on February 17, 1789, left the advancement of his plans to his remaining brothers. They decided that Levi should go to London to secure a commercial and perhaps a political alliance designed to preserve Vermont's independence of the other American states. He would be more acceptable to the British than Ira because he was known as a loyalist and was living in the Province of Quebec. Levi wrote Ira, October 11, 1788, that he advised him to look to Great Britain for the solution of their business embarrassments. "The Plan of trading at Quebec & making remittance in lumber," he said, would "never answer", because of the risks and losses incurred in transporting timber, the kind of "country they have to collect in," and "the sharpers at Q— after they arrive reduces the matter to demonstration; all of which operates in favor of the grand plan."<sup>29</sup>

Shortly afterwards, the grand plan began to unfold. Sometime in November or December of 1788, the Allen brothers were

28. *Manuscript Vermont State Papers*, XVII, 240.

29. *Ethan Allen Papers*, no. 4943.





closeted with Dorchester. They declared, so Levi said afterwards, that Vermont wished to rejoin the British Empire. Dorchester responded by promising to intercede on their behalf with the British Government. Because no time was to be lost, Levi left Vermont in January of 1789, arriving in London on April 23, 1789.<sup>30</sup>

The time of his arrival in London could not have been more favorable to his mission. While he was there, Great Britain and Spain approached the brink of war over the Spanish seizure of British vessels in Nootka Sound. During the ensuing crisis, Great Britain feared that France, as Spain's ally, might join Spain in war against Great Britain; furthermore, the British Government wondered what would be the attitude of France's ally, the United States, towards a war against Spain. Fearing for a time that the Franco-American Alliance might be invoked, Great Britain sought to appease Vermont, hoping if war came to acquire it as an ally.<sup>31</sup> Levi discerned that such a war could be turned to the advantage of Vermont by securing British acceptance of the grand plan. Vermont was weak, but not so weak as to be without bargaining power in an Anglo-American crisis. Vermont controlled the eastern half of the valley through which the Americans would almost inevitably invade Quebec which British seapower could not protect above tidewater.

Yet Levi despaired of success for his mission until John Graves Simcoe took him in tow. Simcoe was no stranger to Vermont. Indeed, as late as 1787, he had jocularly declared that he might go to Vermont and establish himself permanently there. After Levi's arrival in London, Simcoe befriended him because he believed that Vermont's friendship was necessary to protect Quebec against what he deemed the aggressiveness of the American states. Joining Simcoe in support of Levi was Sir Henry Clinton, who likewise was no stranger to Vermont. Lesser allies were Philip Skene and the Reverend Samuel Peters. Of these last two, Peters was the more important figure. He was a loyalist from Hebron, Connecticut, whose devotion to Christianity was invari-

30. *Ira Allen Papers, 1774-1793*, Levi to Ira, May 3, 1789.

31. Turner, F. J., "English Policy Towards America in 1790-1791," *American Historical Review* (VII, no. 4, July 1902), 706-735; also VIII no. 1, October, 1902, 78-86.





ably secondary to his career as a landjobber and an international intriguer. Always the eccentric, Peters found it difficult to make or keep friends. His sermons delivered in London were incomprehensible to loyalists, one of whom remarked after hearing him preach from the pulpit that it was "hard to conceive how he got there."<sup>32</sup> Before the arrival of Levi, he had been a staunch foe of Vermont because his Vermont lands had been confiscated. He had claimed compensation from the Loyalist Commissioners for approximately 56,000 acres of land. Now, to further his own aims, he supported the Allen separatist proposals.

These friends and allies provided Levi with social opportunities which he had never before enjoyed. He "got snug alongside" Philip Skene, "our first Governor," who had him twice to dinner and asked Levi to do what he could to secure the restoration of his estate at Skenesboro. Levi met even John Tabor Kemp, the New York loyalist for whose capture Ethan had offered a reward before the Revolution, and "had a little laugh about Genl. Allen's Advertising him, Duane, etc."<sup>33</sup>

Levi was somewhat surprised at the atmosphere surrounding the conduct of business and politics in London. "People," he said, are "too well bred to speak much Truth." Business, he wrote Ira, could not be transacted without friends who must also have an "Interest in the business." He once wrote that he was going to send a letter to Ira "to shew the public and one to Nancy [his wife] more particularly containing only the truth—for in all matters there is Always the public letter that [is] for the public and the private letter to the private Minister."<sup>34</sup> He revelled in the secrecy surrounding his mission, seldom signing his name to his letters. Instead he used the noms de plume Lewis Alden, D. Alonzo, Christiana D. Alonzo, Christiana Vala de Arabi Constantino Americanus Calvo Alamando De Alonzo, or, when pressed for time, simply Bumper D.

Levi did not permit his active social life to interfere with the

32. Sabine, Lorenzo, *Biographical Sketches of Loyalists of the American Revolution* (Boston, 1864), 2 vols., II, 181.

33. *Ira Allen Papers, 1774-1793*, Levi to Ira, May 23 or 24 (Levi wasn't sure), 1789.

34. *Ibid.*, no date.





commercial and political objectives of his mission. The day after his arrival, he presented a petition to Lord Sydney, in which he stated that Vermont contained many inhabitants still loyal to Great Britain who had fled from the states to Vermont during and after the Revolution. He declared that as late as 1788 Vermonters had made overtures to Quebec to rejoin Great Britain—"this would still be their greatest wish could it be practicable but being in doubt with respect to its practicability this part of their wish is not comprehended in the Commission with which your memorialist is charged." Vermonters, he wrote, were disappointed by the establishment of the Canadian-American boundary because it destroyed their hopes of being incorporated as "an appendage to the Province of Quebec." To remove the commercial barrier inherent in the boundary, he requested that Vermonters be permitted to trade with Great Britain upon the payment of the same duties as those paid by the inhabitants of the Province of Quebec.<sup>35</sup>

While waiting for an answer to his petition to Sydney, Levi endeavored to secure a mast contract from the British government. He interviewed Evan Nepean of the British Admiralty on the twenty-fourth of May, who kindly received him although he had not yet received any dispatches from Dorchester concerning Levi's mission. After a "long confab," Nepean gave him a letter of introduction to Sir Charles Middleton, Chief of the Navy Office. Levi went immediately to the Navy Office to discuss the terms of a mast contract. Although he was treated with politeness, he was disgusted to discover that timber contracts for the spring had been awarded to New Brunswick and London contractors. "I thought," wrote Levi to Ira, May 24, "I had rubbed off a large Quantity of my natural honesty yet was simple enough to suppose the lowest offer would be closed with . . . ."<sup>36</sup>

His failures caused him to rely largely upon the aid which Clinton and Simcoe could give him to secure a direct trade between Great Britain and Vermont. "If I can carry this point and

35. Bemis, S. F., "The Relations Between the Vermont Separatists and Great Britain, 1789-1791," *American Historical Review* (XXI, no. 3, April, 1916), 547-560.

36. *Ira Allen Papers*, 1774-1793.





open a trade," he wrote Ira, "I shall be forever satisfied if I don't make into myself one hundred pounds clear for seven years to come. Conquering the Canada opposition will be a sufficient reward . . . ." <sup>37</sup> To aid Levi, Simcoe and Clinton loaned him small sums and bent every effort to secure a favorable reception for his proposals.

Clinton's and Simcoe's friendship for Levi was due in part to their fear of a revival of the "Family Compact" between France and Spain, and to their fear that in case of war between it and Great Britain, the United States would seize Quebec and thereby destroy the major center of British influence in the interior of North America. In January, 1790, Clinton penned a rough draft of his opinions of the importance to Great Britain of the friendship of Vermont. Self-preservation, he maintained, required that the British government accept the Vermont proposals to rejoin the empire, in return for which the British government ought to concede every trading privilege which the Vermonters had requested. Such an alliance was necessary to enable the British to fortify themselves on the left bank of the St. Lawrence and on the islands of the Richelieu River. With the protection afforded by an alliance with Vermont, Clinton continued, Britain would be able to exert an influence upon the American settlements lying west of the Allegheny Mountains and to extend greatly the scope of British commerce in North America. He envisaged using the St. Lawrence as a corridor through which British trade and political influence would be extended far down the Mississippi Valley. <sup>38</sup>

Simcoe, whose views coincided with those of Clinton, impressed Lord Grenville, Sydney's successor to the Home Secretaryship, with the necessity of Vermont's friendship in view of the threat of war against Spain. He shepherded Levi into Grenville's office to enable him to present his arguments in favor of closer commercial connections. <sup>39</sup>

Grenville's hesitation to commit himself did not prevent Levi from pursuing his other objectives. In September, 1789, he en-

37. *Ibid.*, no date.

38. *Clinton Papers*, 1790-1791.

39. Q, CCLXXVIII, 259-270.





deavoured to interest the British government in the appointment of a "Protestant Episcopal Bishop" for Quebec and Vermont. His candidate for Bishop was Samuel Peters. If Vermont were to be allied commercially and politically with Great Britain, why should not these ties be reinforced by religion? Furthermore, the lands granted by Governor Wentworth to the S.P.G. had escaped confiscation during the Revolution and these lands might be available for the support of a new church. For a time, Levi hoped either to secure these lands for himself or to get "something handsome" for caring for them during and after the war. He now decided to secure these lands for the proposed church and he wrote the S.P.G. that, because of neglect, the influence of the Church of England was declining in Vermont and Quebec, that he and Chittenden had saved these lands from "going the way of all flesh," and that they not only wanted to establish a new church but also to open a college at St. Johns as it "bids fair to be the Grand Emporium of New Canda [sic] & Vermont."<sup>40</sup> Peters had already communicated upon this subject with George Chalmers, Maryland loyalist, who had become the Chief Clerk of the Board of Trade. He enclosed in his letter a crudely drawn map of the region lying between the Hudson, the St. Lawrence and the Green Mountains which dramatically demonstrated the geographic features which tied Vermont to Quebec.<sup>41</sup>

But the core of Levi's mission lay in the grand plan to secure the privilege of re-export from Quebec and, if possible, a political alliance with Great Britain. Once these objectives were achieved, the rest would follow in due course. In December, 1789, Simcoe resumed his efforts to secure a favorable reception for Levi's proposals by communicating with Evan Nepean. He told him that unless Vermont were allied to Britain, the British would be forced to abandon the western posts. He snobbishly vouched for the character of the Vermonters, describing them as "A brave virtuous English race of People, descendants of the best Familyies in

40. *Levi Allen Papers*, letters to Reverend Dr. Morice and to the Archbishop of Canterbury.

41. This map is also printed in *Proceedings of the Vermont Historical Society* (n.s., XI, no. I, March, 1943), 34.





the Country; the Pierponts, Seymours, Stanleys, etc., Episcopalians and Enemies to the New Yorkers and the Congress." Continuing, Simcoe argued in favor of a treaty of alliance and commerce which Vermonters requested because "all the waters of the country fall into the St. Lawrence." He warned Nepean that the Vermonters would drive through the St. Lawrence to the ocean "by equal alliance or conquest." As Simcoe desired an alliance, he urged the building of a canal around the Richelieu rapids. He declared that the canal would not only attach Vermont to the British but also provide the British Navy with a less precarious source of supply of ship timber than that afforded by the Baltic.<sup>42</sup>

Meanwhile, the pressure applied by Simcoe and Clinton had borne fruit. On November 21, 1789, the Solicitor-General of the British Customs rendered the opinion that a re-export of American articles from Quebec, as if they were of Canadian origin, would not be deemed illegal.<sup>43</sup> Then on April 1, 1790, the Lords of the Privy Council for Trade and Plantations answered Grenville's request for advice on Levi's petitions. After reviewing the steps which had been taken to open trade between Quebec and Vermont, they declared that it was impossible to assume that Levi was unaware that a commercial connection had already been established, and that it was their opinion that he had a political objective besides that of opening a free commerce between Great Britain and Vermont, and that he had, as they wrote, "probably received secret instructions for this purpose." The Lords declared that it was not within their province to decide whether a treaty with Vermont would violate the Treaty of Paris of 1783, or whether it was politically prudent to risk offending the United States, but they did state that from the standpoint of British commerce it was desirable that Vermont, Kentucky and other interior settlements remain independent of the United States.<sup>44</sup> The Lords saw clearly that Kentucky was separated from the other American states by the same mountain barrier which isolated the Champlain Valley. Kentucky's outlet to the sea was controlled by Spain

42. P.A.C., "J. Ross Robertson" *Simcoe Papers*, I, bk. 2, 7-12.

43. C.O. 42, XII, 140-144.

44. "J. Ross Robertson" *Simcoe Papers*, II, bk. 2, 329-351.





and many of its inhabitants anticipated that if Britain should go to war against Spain, she would help them to seize the mouth of the Mississippi.

Simcoe was delighted by this report and he described its contents in a letter to Clinton. The report, he said, "proceeds with a just view of the Country beyond the Allegheny—& the singular advantage of the St. Lawrence."<sup>45</sup> Grenville was equally impressed, writing Dorchester on April 27, 1790, that he planned to make the commercial concessions requested by Vermont.<sup>46</sup> A political as well as a commercial motive was implicit in Grenville's dispatch to Dorchester of May sixth. In it he told Dorchester that the friendship of Vermont would be essential to Great Britain if the United States should occasion alarm to the British, and he instructed Dorchester to permit the import of flour, the one article not on the free list, into Quebec. He assured him that "such encouragement has been given to Mr. Allen as will I hope dispose him to exert any influence which he or his connections may possess . . . ."<sup>47</sup>

Meanwhile in Quebec, the problem of re-export of Vermont articles had been brought to Dorchester's attention by a committee report on a petition of the Vermonters, Stephen Keyes and Jabez G. Fitch.<sup>48</sup> In July of 1789, they had requested permission to import pig and bar iron into the province because lumber was burdened with so many expenses that it was "impracticable in the present infant state of Vermont to render it an ample remittance to the merchants of Quebec." A committee reported in favor of admitting these articles; but stated that they could not be re-exported to Great Britain without paying the duties levied on such articles if they had been imported directly from the United States.<sup>49</sup>

This report caused Dorchester to write a letter to Grenville in July in which he asked why all American articles should not be re-exported from the province under the same regulations as were

45. *Clinton Papers*, Simcoe to Clinton, April 20, 1790.

46. *O*, XLIX, 198.

47. *Ibid.*, XLIV, 87-88.

48. *O*, XLV, 22.

49. *Ibid.*, XLV, pt. I, 16.





Canadian articles. The privilege of re-export, he said, would enormously benefit the Quebec trade, and "interest our neighbours to preserve in the hands of Great Britain this outlet to the sea. . . ." He once more called Grenville's attention to the desire of Vermonters to make a political alliance and cement it with commercial connections.<sup>50</sup>

The British government answered Dorchester's question affirmatively. Re-export was legalized by an Imperial Statute which went into operation on July 1, 1790.<sup>51</sup> The framework of the Commercial Empire of the St. Lawrence had been completed and a major aim of Levi's mission attained. But the political alliance for which Levi labored was never consummated. A British alliance with Vermont became unnecessary after Alexander Hamilton told George Beckwith, Dorchester's agent, that the United States was not willing to fight to secure the western posts, and Spain showed no desire to go to war against Great Britain over the Nootka Sound Crisis.<sup>52</sup>

Levi, however, did not know at this time that the possibility of an alliance with Great Britain no longer existed because during his absence Vermont had become the Fourteenth State.

50. *Ibid.*, XLV, 532-534.

51. *Imperial Statutes*, 30 George III, c. 29.

52. Bemis *op. cit.*, 571.





## CHAPTER ELEVEN

# The Fourteenth State

The thesis has been widely accepted that the Allens remained aloof from the new Federal Government until they could join it upon terms which were favorable to themselves. This interpretation can no longer be sustained in the light of the records which survive of their activities between 1788 and 1791. They show that the Allens did not wish Vermont to become an American state. Therefore, the reasons for Vermont's ratification of the Federal Constitution must be sought in the activities of Vermonters who combatted and overthrew the policies of the Allens and Chittenden between 1783 and 1791.

That action begets reaction has long been a truism in American politics. Vermont's political history at this time provides additional proof of this statement. During the Critical Period the Allen-Chittenden faction was associated with two policies, one domestic, the other foreign. Its domestic policy kept alive the democratic tradition of the American Revolution; its foreign policy sought to promote the commercial prosperity of Champlain Valley inhabitants by allying Vermont with Great Britain. Both policies were bound to antagonize Vermonters who did not sympathize with this tradition or who did not live in the Champlain Valley. In general, these persons were conservative in politics and potentially nationalistic in feeling. They lived chiefly in the Connecticut Valley and the Southwest, the sections lying within the American commercial orbit. In short, conviction and commercial interest led them to oppose the Allens and Chittenden and to join the Federalist Party after Vermont's ratification of the Constitution.

Like most American parties, the party in opposition to the Allens in Vermont was composed of several factions. Socially, it represented land speculators, merchants, lawyers and officers of the revolutionary war. Some of these were Yorkers, long resident





or recent arrivals in Vermont. Typical of these was Lewis R. Morris of the influential New York family of Morrises, who had moved to Springfield about 1785 in order to care for the lands of his father, Richard Morris. The long-standing quarrel between Yorkers and Yankees did not prevent them from cooperating to destroy the political power of the Allen-Chittenden faction. Among these Yankees were Moses Robinson, son of Samuel Robinson of Bennington, and the conservative Jacob Bayley of the Coos Country. The leadership of these diverse elements fell largely into the extremely capable hands of Isaac Tichenor and Nathaniel Chipman. Tichenor eventually became an outstanding Federalist leader and several times Governor of Vermont. Although less successful than Tichenor in his appeal to the people at large, Chipman emerged as the major political strategist who achieved the political defeat of the Allens and the overthrow of their policies.

In welding the various factions into a political party, Chipman relied upon the smouldering hostility of many Vermonters to the unpopular Haldimand Negotiations. As early as February 16, 1783, the Assembly had struck indirectly at the Allens' policies by appointing a committee to find a means of preventing Vermonters from trading with the British.<sup>1</sup> This act of the Assembly so frightened Ira that he signed a document on February 25, which declared that Vermont was attached to the American cause and desired to join the Continental Congress. It alleged that the Haldimand Negotiations were designed solely to effect an exchange of prisoners. Taking him and his associates at their word, the Assembly passed a bill against high treason. Governor Chittenden and the Council, which included Ira Allen, accepted the bill on March 2, 1784.<sup>2</sup>

When the Allens attempted, as has been shown, to secure the appointment by the Assembly of a delegation to arrange for a commercial treaty with Quebec, they met the stiffest kind of opposition in the Assembly. After a long debate, it refused to empower the delegation, which included Ira, to negotiate a treaty.

1. *Records of the Governor and Council of the State of Vermont*, III, 17.

2. *Ibid.*, III, 42.





Instead the Assembly authorized the delegation to discover whether the Canadian government was willing to permit Vermonters to trade with Canadians.<sup>3</sup> When Ira submitted to the Assembly on June 9, 1785, a report on the mission to Quebec, it was received with hostility. On the thirteenth Isaac Tichenor introduced a bill to repeal the act which had authorized the delegation. His bill was passed by the Assembly and sent to the Governor's Council where it was laid upon the table. When the Council of Censors met in the autumn of the same year, it recommended that the act authorizing the delegation be amended in such a way that the state should not incur further expense. The Council thought it was unreasonable "to tax the inhabitants of the State at large to defray the expense of a treaty, the benefits of which will be partial and confined to a few individuals."<sup>4</sup>

The opposition showed a similar attitude towards the bold efforts of the Allens to secure commercial concessions from Haldimand by advocating the return of loyalists to Vermont. Ira's letter in the *Bennington Gazette*, which recommended that Vermonters permit loyalists to return, was answered in the *Gazette* on August 21, 1783. "I think it is high time," declared *Stability*, "for the free-men of Vermont to take proper care in their voting." The return of loyalists, he said, would set loose upon the inhabitants of Vermont loyalists whom he described as "devils incarnate." On March 4, 1784, Vermonters presented a petition to the Assembly which protested against the return of loyalists and their participation in politics.<sup>5</sup> The election of the loyalist, Daniel Marsh, to the Assembly evoked a storm of indignation. Vermonters declared that Marsh should not be permitted to serve in the Assembly because he had joined the British and had committed "many acts of cruelty and outrage against the good citizens of this State and hath long been and Still is Plotting the Destruction of this State and contriving to bring it into subjection to Neighbouring State. . . ."<sup>6</sup> The petitions of loyalists who had returned to Vermont on the invitation of the Allens in an attempt to regain their property or to collect

3. *Ibid.*, III, 397-399.

4. *Ibid.*, III, 399.

5. *Journals of the Vermont Assembly, Bennington Session, 1784*, 57.

6. Nye. *Sequestration, Confiscation and Sale of Estates*, 103.





debts were, by and large, treated coldly by the Assembly. On February 21, 1787, it dismissed the petition of the loyalists, Richard Sackett and Elisha Hard, which requested authorization to collect monies owed to them.<sup>7</sup>

While the Allens and Governor Chittenden were being accused of courting the favor of the British by their friendliness to loyalists, they were being execrated by lawyers, land owners and merchants for their radical proposals for mitigating the distress occasioned by the post-revolutionary economic depression. During the depression after the French and Indian War, the Allens had shrewdly championed redress of the economic grievances of the settlers to their own political advantage. The Allens had joined with them to make common cause against the lawyers, debt collectors and public officials of New York. The economic distresses which followed the Revolution were much the same as those which followed the French and Indian War and, in general, produced about the same discontents.

Some of the ingredients for a debtors' uprising, like that of Shays' Rebellion of 1786 in Massachusetts, were present in Vermont. A major grievance of the settlers in Vermont, as elsewhere, was the inadequacy of the money supply. The extreme scarcity of money, said the *Bennington Gazette* on March 6, 1784, was "a universal cry . . . originating in a degree from a multiplicity of hawkers and pedlers being tollerated in this state," by which the state was drained of specie.

Another grievance was the alleged harshness of the means employed by creditors and their attorneys to secure the payment of debts. Lawyers, as agents for the creditor classes, were described by one Vermonter as a set of vultures.<sup>8</sup> Some of the reasons for this hostility to lawyers were given in a petition of Rutland inhabitants. In particular, they complained of the expensive procedure in civil suits which forced them to pay what they considered unnecessarily large costs. Attorneys, so the petitioners declared, secured bundles of blank writs on which they would obtain the signature of a Justice of the Peace; and then they solicited

7. *Ibid.*, 100-111.

8. *Bennington Gazette*, Feb. 7, 1784.





an equal number of notes and issued the writs, regardless of the size of the debt. To increase legal costs, the lawyers thereupon placed these writs in the hands of Deputy Sheriffs by which means legal expenses would exceed the debts. Lastly, the estates of the debtors would be put up for auction and bid off to attorneys, sheriffs, or their creditors for very small sums. Everyone, charged the petitioners, wanted to be a Deputy Sheriff because the position was so remunerative. The petitioners accused Deputy Sheriffs of loitering near Sheriff offices, filling their pockets with writs and collecting four pence per mile for serving them "and the more writs they have the Better thus they live upon the Spoils of their fellow Subjects and people feel by this means the cruel hand of oppression."<sup>9</sup>

The first revolt against creditors since the Revolution occurred in Bennington County in October of 1783, when a "confederated banditti of bankrupts entered into a house [and] stole notes, obligations & bonds drawn for hard money & payable previous to July, 1782."<sup>10</sup> These forms of direct action frightened Vermonters who were creditors. "I have noted with alarm," said one of them, "the general complection of this rising state, which from the licentiousness that appears creeping gradually into the minds of the people, alarms and astonishes me." He commented upon the depravity of persons who endeavoured to avoid the payment of debts or compliance with contractual obligations. So long as this situation existed, Vermont, he warned, would "never be a commercial state."<sup>11</sup>

So great became the hostility of debtors to their creditors that hard-pressed Vermonters attempted in November, 1786, to close the courts in Windsor and Rutland counties. The overwhelming majority of Vermonters refused, however, to participate in such acts of violence because they hoped that the Assembly would remedy their grievances. One solution proposed was that the state limit the number of attorneys who could practice in any court, restrict their fees and curb the avarice of Deputy Sheriffs. Much

9. *Manuscript State Papers*, XVII, 169.

10. *Bennington Gazette*, Jan. 8, 1784.

11. *Vermont Gazette*, Jan. 5, 1785.





greater in popular appeal were the proposals to pass a General Tender Act or to issue paper currency. The first was a popular panacea because it would enable debtors to tender specific articles for payment of debt; the second would enable them to secure money with which to meet their obligations and would tend to scale down the value of their debts.

On the eve of the Assembly elections in the fall of 1786, Governor Chittenden set the stage for remedial measures in his address to the people. Although the Governor did not sponsor legislation as radical as some desired, he was able to prevent an explosion in Vermont as severe as that of Shays' Rebellion. He began his address by swiftly reviewing the grievances of the inhabitants and discussing the popular remedies—a Tender Act, a bank of paper money and the proposal to put to death lawyers and deputy-sheriffs. These measures, he warned, would be only temporary in their effect. The only permanent solutions, he said, were economy and the utmost caution in entering into contracts. Nevertheless, he suggested that the Assembly could remove some of the causes for popular distress by laying taxes on lawsuits and duties on imports, with the exception of absolute necessities. The revenues from these taxes could be used by the state to grant bounties for the raising of sheep and the production of wool. Thus far his supporters must have been sorely disappointed. He concluded his address, however, with the statement that as a last resort he would sponsor the establishment of a State Bank for the issuance of paper currency.<sup>12</sup>

The conservatives were immediately up in arms against Chittenden's last proposal. "Lycurgus" in the *Vermont Gazette* of Bennington, denounced it as financially unsound. A paper currency bill must be defeated, he said, or else "every merchant and trader in the state must become bankrupt." He added that an issue of paper money would enable "the G-v-rn-r of the State, who by report of the auditors is 3000 in arrears to the treasury . . . to discharge the same . . . *come on then paper money.*"<sup>13</sup> The State Bank project was defeated by the strategy of Nathaniel Chipman and

12. *Ibid.*, Aug. 28, 1786.

13. *Ibid.*, Aug. 31, 1786.





his fellow conservatives in the Assembly, but only after a hard struggle. He was unable to prevent the passage of a General Tender Act, but he was able to secure the postponement of a bill to establish a State Bank by causing it to be submitted to a popular referendum.<sup>14</sup>

The failure of the voters to support the State Bank bill indicated the beginning of a conservative revolt against the radical Allen-Chittenden bloc. That Chittenden and Ethan Allen still sympathized with the settlers was demonstrated anew by their private reaction to Shays' Rebellion in backcountry Massachusetts. Many Shaysites fled to Vermont where Chittenden, bowing no doubt to conservative opinion, issued a proclamation on February 27, 1787, warning Vermonters against giving aid or comfort to these refugees. Privately, however, he and Ethan Allen expressed sympathy for them and their plight. An agent of Royall Tyler, the famous playwright, reported that Chittenden said that only rebellious behavior could be expected of an oppressed people. Ethan agreed with the Governor, declaring in typical fashion "that those that held the reins of government in Massachusetts were a pack of Damned Rascals and there was no virtue among them."<sup>15</sup>

Although the Allens and Chittenden quickly perceived oppression in Massachusetts, they did not perceive that many Vermonters deemed them oppressive because of their control of Vermont's governmental machinery. Before the Revolution, the Allens had manipulated to their own advantage the Grants folk's jealousy of Yorkers who dominated the three counties erected by New York. After the Revolution, the hostility formerly directed against New York was directed against them because they regarded Vermont as their personal creation and preserve. A reaction, expressing itself in a struggle between the "ins" and the "outs," was bound to come with the passing of the years. As early as 1783, Ira Allen was severely criticized for holding simultaneously the offices of State Treasurer and Surveyor-General, and also holding a seat in

14. Chipman, Daniel, *The Life of the Honorable Nathaniel Chipman* (Boston, 1846), 67-69.

15. V.H.S., *Royall Tyler Manuscripts*.





the Governor's Council. "Constitutionalist" argued erroneously in the *Bennington Gazette*, September 18, that it was unconstitutional for Ira to hold more than one office at a time.

A much more valid reason for Ira's unpopularity lay in the slovenly manner in which he administered his official duties. So much dissatisfaction resulted from his land surveys, for example, that the Assembly passed an act in October, 1785, annulling those he had made and forbidding him to make any more. The Governor's Council, however, supported him. It recommended that the bill be left over to the next session.<sup>16</sup>

The bill was soundly conceived if the testimony of a witness in 1818 is correct. This witness stated that the surveying instruments which had been used were of inferior quality, and often in bad repair, and that the surveyors had usually been incompetent. Lines intended to be parallel, he said, varied in some cases one to five degrees. Lots supposed to be of the same size varied greatly in their dimensions. Such errors, he declared, threw neighborhoods into confusion with lawsuits as the consequence, "in the course of which all in the vicinity take sides, and mutual calumny and slander take the place of mutual harmony."<sup>17</sup> These errors plagued the inhabitants of Leicester for some years. They declared in a petition to the Assembly that the inaccurate surveying of their town had given rise to a clash of interests. To add to the confusion, they found themselves involved "in a Dispute with the Proprietors of Salisbury by which we eventually Lost a considerable part of the Town."<sup>18</sup>

Ira's efficiency as an administrator of the State's finances also came under heavy fire from the Assembly. His accounts were never disentangled to his or to the Assembly's satisfaction. One source of this confusion was indicated as early as 1782. A committee appointed by the Assembly, of which Isaac Tichenor was a member, reported on October 12, 1782, that the Treasurer had made "no distinction," in crediting the State for monies he had received, between hard money and the paper currency which the

16. *Records of the Governor and Council of the State of Vermont*, III, 95.

17. V.H.S., *John Johnson to the Green Mountain Repository* (copy).

18. *Manuscript State Papers*, XLII, 140.





State had issued during the Revolution.<sup>19</sup> That all was not well with these accounts is hinted at by Ira in a letter to Levi. He wrote his brother on August 20, 1786, that he was closing his accounts by February first. Consequently, he said, "you ought to see me before I do this for more Reasons than I think proper to commit to Writing."<sup>20</sup>

The opposition to the Allens and Chittenden was climaxed by the charge that, under their leadership, the Assembly had passed acts laying punitive taxes on unimproved lands held by absentees for speculative purposes. If these taxes were not paid within thirty days, the land was legally sold at what Vermonters called "vendue" sales. These taxes were, however, popular with residents because the revenues derived from vendue sales were used to build roads and promote other needed public improvements. The residents of Rockingham, for example, petitioned the Assembly to lay a tax on absentee-owned lands because one half of their town was owned by non-residents who were indifferent to the needs of the actual settlers. So long as the Assembly did not lay a tax on these lands, they said, "there will be no likelihood of those Lands being settled and . . . the Inhabitants think it very hard that there own Indistery Must Inrich and grandize people abroad that are not and will not contribute anything to assist a poor people."<sup>21</sup>

The sale of absentee-owned lands on which taxes had not been paid, enabled Vermonters to purchase these lands at very low prices and in circumstances which suggested collusion. The Allens, among others, were accused of purchasing lands at bargain prices and thereby utilizing the popular hostility to absentee-ownership to their own advantage. "Junto" declared in the *Vermont Journal* of Windsor that these sales would "expose state to hate, ignominy, and disgrace abroad; make unfriendly former friends, and brand Vermont with name of land-thieves."<sup>22</sup>

While the policies and measures of the Allens and Chittenden were causing the development of a determined and intelligent opposition, New York was slowly undergoing a perceptible change

19. *Manuscript Assembly Journals, 1781-1785*, 164.

20. *N.Y.S.L., Levi Allen Papers, 1787-1789*.

21. *Manuscript State Papers, XVII*, 108, March 14, 1785.

22. *Vermont Journal*, April 25, 1786.





in its attitude towards Vermont. This change was due, in part, to the decline of the political influence of Yorkers unfriendly to Vermont. The Revolution was an important cause for this decline because it had removed from power many loyalists who, like William Smith, had led the fight against the New Hampshire land speculators. After the Revolution, the influence of what opposition remained was increasingly offset by a new group of land-speculators in New Hampshire or Vermont land titles which favored Vermont's independence. The Surveyor-General's Papers in the State House at Montpelier contain a surprisingly large number of names of Yorkers who owned land in Vermont after the Revolution. Indeed so great was the demand for Vermont lands at this time that a land office was opened in the City of New York.

Until 1787 little or nothing was done in New York to overcome the opposition which remained to recognition of Vermont's declaration of its independence. In that year, Alexander Hamilton established connections in Vermont with Nathaniel Chipman. The reason for the haste of Hamilton and other future Federalist leaders to secure Vermont's ratification of the Articles of Confederation, and later of the new Constitution which emerged from the Philadelphia Convention, was given by Washington in his letter of March 31, 1787, to James Madison. In it he said that he would be gratified to know that Vermont had joined the other states upon terms agreeable to New York and Vermont and he recalled that he had taken the liberty some years earlier to inform leading Yorkers that Vermont was lost to them. So long as the quarrel continues, he said, the national interests are the sufferers and lastly "considering the proximity of it to Canada if they were not with us, they might be a thorn in our sides, which I verily believe would have been the case if the War had continued."<sup>23</sup>

Hamilton, too, perceived the political significance of the proximity of Vermont to Quebec. Before the Revolution he had known that a trade in staves had been carried on between the Champlain Valley and Quebec. After the Revolution he knew that com-

23. N.Y.P.L., Emmett Collection.





mercial connections between Vermonters and the British in Canada had been resumed. Hamilton had more than sufficient evidence to prove that the commercial interests of this section of Vermont were responsible for its aloofness to the other American states. His apprehension became so great that in March, 1787, he undertook to secure New York's recognition of Vermont's independence, preparatory to winning its adherence to the dying confederation. To accomplish his purpose, Hamilton introduced on March 15 a bill in the New York Assembly in which New York recognized Vermont's independence. His speech in support of his bill betrayed his fear for the political future of Vermont. Is it not natural to suppose, he said, that the Vermonters will "provide for their own safety, by seeking connections elsewhere?" Did not the strongest evidence point to the fact that "these connections have *already* been formed with the British in Canada?" We have, he said, "the strongest evidence that negotiations have been carried on between that government and the leaders of the people of Vermont."<sup>24</sup>

On the twenty-eighth, Richard Harrison, a spokesman for Yorker claimants to Vermont lands, opposed Hamilton's bill in a speech which proved unconvincing to the Assembly. It is alleged, said Harrison, that Vermonters "are forming improper connexions with the British in Canada, which at some future period may be destructive to America." He denied that any evidence existed for this suspicion "except in the lively imaginations of persons" who "for particular purposes" wish to arouse alarms. He ridiculed the idea that Great Britain would form an alliance with a state which it had already recognized by the Treaty of 1783 as lying within American territory. Above all, he said, Great Britain would have little reason for forming "an indirect connexion with what is a comparatively small and insignificant corner of a single state." In conclusion, he said that "the proposed connexion between Vermont and the British government was a phantom raised for the sake of Political prejudices, but which when carefully examined will prove to be a mere phantom only."<sup>25</sup>

24. *Records of the Governor and Council of the State of Vermont*, III, 423-424.

25. *Ibid.*, III, 424-430.





On the same day Hamilton replied to Harrison's speech in a persuasive and convincing manner. He buttressed his contention that Vermont leaders had been and still were negotiating with Quebec by referring to the Haldimand Negotiations and their aftermath as conclusive evidence that Harrison was wrong. Since the peace, he continued, British officials had granted commercial concessions to Vermonters in the Canadian market. He refuted Harrison's statement that Britain had little reason to be interested in the future of Vermont by declaring that Britain's policy was to weaken still more the already enfeebled American states and, by establishing Vermont as a friendly buffer, to occupy the western posts permanently. Vermont, in its present state, he said, looked to Great Britain for support against the American States because its inhabitants were well aware of the "relative situation of Canada and Vermont."<sup>26</sup> So convincing were Hamilton's arguments that, on April 11, the Assembly passed his bill. It was rejected, however, by the Senate.

Meanwhile, the opponents of the Allens in Vermont had not been idle. They soon made it clear that they were responding to the change of sentiment being wrought in New York by Hamilton. In July, 1788, Chipman met with Lewis R. Morris and other opponents of the Allens in Tinmouth to establish a private cabinet of their own to offset the influence of the Allen-Chittenden cabinet. The object was to forestall an alliance between the Allens and Great Britain and to explore the possibilities of their state's joining the other American states upon terms favorable to the Vermonters whom they represented. After consultation, they agreed to make overtures to Hamilton. On the fifteenth they dispatched a letter to him. In it they stated that Vermont would ratify the Constitution if its citizens were not afraid that doing so would result in the Federal Courts' invalidating the New Hampshire titles. Vermonters, they said in no uncertain terms, would never join the other American states if, by so doing, their titles would be jeopardized.<sup>27</sup>

Although Hamilton was busily engaged in efforts to secure New

26. *Ibid.*, III, 430-438.

27. *Ibid.*, III, 441.





York's ratification of the Constitution by the Poughkeepsie Convention, he replied immediately to Chipman's letter. He stated that no time was to be lost in securing Vermont's admission to the United States, and he described the legal procedure to be followed. Ratification, he said, must be by a convention rather than by an act of the Assembly because it was "the policy of the system to lay its foundations on the immediate consent of the people."<sup>28</sup> During the following winter, Hamilton conferred with Chipman in Albany. Together they agreed upon the means of settling the land title dispute. The holders of New York titles to Vermont lands were to be compensated by a cash appropriation of \$30,000 by the state of Vermont.<sup>29</sup>

This agreement was followed by the presentation on February 13, 1789, of a petition to the New York Assembly asking for the passage of an act to appoint commissioners with power to treat with commissioners from Vermont to settle the land title dispute. This petition was stoutly resisted by George Clinton who, astonishingly enough, had not lost all his lands under New York title in Cavendish, Newbury and Hillsborough. Possibly these lands were protected by his friend, Jacob Bayley, or possibly Vermont did not wish to enrage His Excellency further by confiscating all his lands in the state.<sup>30</sup> Despite Clinton's opposition, the bill was passed on July 14. New York had now reversed its attitude towards Vermont.

Its complement would be a change in the attitude of Vermont towards New York and the other American states. So long as the Allens and Chittenden were in substantial control of the government of their state this change was not to be expected. When in October, 1788, the Vermont Assembly passed a bill to send three commissioners to the Congress, Ira, who had been appointed one of them, demonstrated that he was still hostile to the American States by refusing to serve and going instead to confer with Dorchester in Quebec on the grand plan. A change in Vermont's

28. *Ibid.*, 446.

29. Chipman, *op. cit.*, 81.

30. V.H.S., *Newbury Manuscripts*, John McKesson to Jacob Bayley, Oct. 20, 1790; N.Y.S.L., *George Clinton Papers*, Account Book, 44. Vermont pursued Clinton to the grave. He was ultimately buried beneath a tombstone purchased in Vermont. See *George Clinton Papers*, George Blagden to M. B. Tallmadge, July 12, 1814.





attitude towards New York might not have been so soon forthcoming if it had not been for a major scandal involving Chittenden and Ira Allen which broke out in 1789.

Two years before, Jonathan Hunt, once accused of loyalism, had petitioned for a town which he called Woodbridge, now known as Highgate. Before the Assembly had had an opportunity to act on Hunt's petition, Ira startled the Assembly by declaring that Woodbridge had already been granted to him. An examination of the Charter Book showed that Ira owned the town but that he had secured it by illegal methods. The astonished Assembly forthwith appointed a committee of investigation. Ira attempted to justify his actions, but he was not given the opportunity, for, as he reported, Stephen R. Bradley, a member of the Committee and formerly one of his supporters, said testily that "neither the Committee or the Assembly wanted any information from me respecting the matter."<sup>31</sup> The committee closely questioned Governor Chittenden instead. The Governor, according to a newspaper account, confessed that without securing the consent of the whole Council he had granted on his own responsibility a charter to these lands to Ira. Thereupon the committee reported that in its opinion the Governor had violated the trust placed in him and had "converted it to private and sinister views." Chittenden made matters worse by declaring before the Assembly that he had granted the lands to Ira, fearing that this might be his last opportunity to "comply with Ira Allen's wishes."<sup>32</sup>

These disclosures caused the Assembly to order Ira to relinquish the charter. He hastened to pacify the Assembly by saying that he would guarantee that the records of the charter in the Surveyor-General's office would be erased and destroyed and that his conduct would not cause further trouble to the Assembly.<sup>33</sup> Even before the Woodbridge scandal, the opinion of many Vermonters had been expressed by Jacob Bayley when he declared that the Allens were "unjustly making their fortunes out of the whole state."<sup>34</sup>

31. N.Y.S.L., *Ira Allen Papers*, 1774-1789, July 20, 1789.

32. *Vermont Journal*, Aug. 19, 1789.

33. *Vermont State Papers*, V, 407.

34. *Vermont Journal*, June 26, 1786.





So outraged was a majority of Vermonters at the public disclosure of this scandal that, in the October election of 1789, Chittenden was defeated by the opposing candidate, Moses Robinson, a Southwesterner. Because his election produced a shift in the control of the executive branch of the government from the Champlain Valley to the Southwest, it resulted almost immediately in a revolution in the official attitude of Vermont towards the other American states. On the twenty-third, the newly-elected Assembly passed a bill appointing commissioners, including Tichenor and Chipman, to meet with the commissioners who had been appointed by New York.<sup>35</sup> During the winter of 1789-1790, these commissioners met and agreed that, in return for Vermont's indemnifying New York title-holders with \$30,000, New York would consent to Vermont's admission into the Federal Union. The last obstacle to Vermont's joining the union having been removed, the Vermont Assembly voted on October 25, 1790, to call a convention to ratify the Constitution of the United States.

It was held at Bennington in the Southwest in January, 1791, and was composed of 109 delegates elected by popular vote. Practically the only representatives of the old guard present were Ira Allen and Chittenden, who had been reelected Governor in 1790. The delegates were primarily the more substantial citizenry of Vermont: lawyers, land owners, merchants, office holders, ex-army officers and even two opportunistic loyalists, Simon Stevens and Benjamin Green. Yorkers in Vermont were represented by Israel Smith, opponents of universal manhood suffrage by Asaph Fletcher, lawyers by Gideon Olin and Nathaniel Chipman, and debt-collectors of the Critical Period by Isaac Tichenor.<sup>36</sup>

The absence from the Convention of radicals, including Reuben Jones and Leonard Spaulding, indicates its conservative character. Their absence was undoubtedly due to the indifference displayed by the rank and file of Vermonters to the election of delegates. The return of relatively prosperous times was the major cause for this indifference. So long as times had been hard, the populace

35. *Records of the Governor and Council of the State of Vermont*, III, 450.

36. The names of members of the convention are given in *Records* III, 466-467. The social standing of the convention was found in the genealogies, local histories and manuscripts in the Library of the Vermont Historical Society.





was a force to be reckoned with in Vermont politics, as the attempts to close courts had demonstrated. Prosperity had the effect of lulling humble Vermonters into political apathy. It was so great that the *Vermont Journal* of Windsor reported on March 22, 1791, that "at a late election of delegates to Constitutional Convention," in a town of 300 voters, "only 19 attended & formed a quorum and chose their delegate." Voters who had failed to exercise the right of suffrage, it continued, now complained against the decision of the Convention. This situation, it said, existed in other towns where the lack of interest of voters resulted in "the election of Judges, Generals, etc." The overwhelmingly conservative character of the delegates meant that they would be concerned primarily with promoting the sectional interests which they represented. The major interests were those of the Champlain Valley on the one hand, and the Connecticut Valley and the Southwest on the other.

The people living in the latter two sections were deeply concerned about their future commercial prosperity. Before the establishment of the Federal Government, Vermonters had been free to trade wherever most convenient: in Montreal, Quebec, Albany, or in New England. By 1790, however, Vermonters living in the Connecticut Valley and in the Southwest were no longer certain that they would be free to trade where most convenient in the future. The Federal Government, it was rumored, might hamper the trade with the American states by laying duties upon Vermont exports. On May 4, 1789, the *Vermont Gazette* of Bennington printed a news item to this effect. "Congress," it said, "will make a question whether the inhabitants of Rhode Island, Vermont and North Carolina in respect to payment of import [duties] on goods are to be considered citizens of the United States—as alien friends or alien enemies." This report helped to gain additional adherents to the cause for which Chipman labored.

The inhabitants of the Champlain Valley could not be so easily induced to ratify the Constitution on the grounds of commercial necessity. Unlike the inhabitants of the Connecticut Valley and the Southwest, the commercial ties of the Champlain Valley inhabitants were with the Province of Quebec. Only the building





of a canal to connect Lake Champlain with the Hudson River could quiet their genuine and legitimate fears that ratification would destroy the Quebec trade without providing an alternative outlet for their surpluses in the State of New York. Anticipating this valid economic argument against ratification, the *Vermont Gazette* opportunely published on September 6, 1790, a report that Yorker business men proposed to commence building a Champlain-Hudson Canal.

These rumors provided the immediate background for the debate over ratification in the Convention. On January 6, Chipman commenced the debate by making a notable address. In describing the disadvantages of continuing independent, he declared that Vermont was weak in comparison with the United States, that in the disputes which were bound to arise between Vermont and the other American States, it required very little knowledge of politics to predict that every sacrifice would have to be made by Vermont. He then described how in time of war the little state would be overrun either by British or by American armies and would be "equally misused, equally despised, and equally insulted and plundered by both." Furthermore, what he called ties of "blood and kindred affection" forbade an alliance with Great Britain. Thus, Chipman claimed the only feasible alternative was to unite with the United States, which would make Vermonters fellow-citizens of more than three millions of Americans. If Vermonters chose to remain independent, he concluded, "we must ever remain little, and I might say, contemptible;—but united, we become great, from the reflected greatness of the empire with which we unite."<sup>37</sup>

The other notable address was that of Benjamin Green which supplemented Chipman's because he based his arguments on economics. He observed that the United States now surrounded Vermont on three sides. If Vermont refused to join it, "where should we carry our produce? Perhaps some say to Canada, but Canada it is well known is a poor market, and soon overstocked. And indeed from the part of the state he represented [the Connecticut

37. *Records of the Governor and Council of the State of Vermont*, III, 468–472.





Valley], it would never answer. . . . The American Congress," warned Green, "can compel us to join the union, on their own terms, without having recourse to arms; Let them prohibit exportation to or importation from Vermont, and we must sink or comply."<sup>38</sup>

The opponents of ratification ignored the arguments of Chipman and Green. They argued that the hard-won liberties of Vermonters would be infringed by the new colossus, the Federal Government, and that the New Hampshire titles would be invalidated by the Federal Courts. These objections were overborne, and on January 10, the Convention, with only four dissenting votes, ratified the Constitution. Ira Allen, bowing to the inevitable, voted in favor of ratification. On February 18, 1791, the Congress of the United States admitted Vermont into the union.<sup>39</sup>

Meanwhile, Levi Allen, now in Liverpool and unaware of the political changes in Vermont, prepared to sail with a cargo of goods which he said was worth 2500 £.<sup>40</sup> But, as he wrote, "many unavoidable procrastinations took place in the course of Chartering and loading the ship, amongst which the Obstruction thrown in my way by the Merchants of this Country who supply Canada was not the least . . . ." Then the crew of the vessel upon which he planned to sail was pressed into the British Navy at the height of the Nootka Sound crisis.<sup>41</sup> After these obstacles had been overcome, he left for Vermont. Sir Henry Clinton wrote on October 18, 1790, "Allen, I hope, by this time has safely arrived at Quebec & it is possible he may be in time to influence the Vermont elections."<sup>42</sup> Levi, however, did not reach Vermont on this voyage because his ship was blown by contrary winds to Georgia. From there he sailed back to London, instead of to Quebec, where he arrived some time in July, 1791.

In Levi's absence Ira wrote him two letters describing the changes made and impending in Vermont. In the first he told Levi that Chittenden had been defeated in the election of 1789.

38. *Ibid.*, 477.

39. *Ibid.*, 480, 486.

40. *Ira Allen Papers*, 1774-1793, Levi to Ira, July 22, 1790.

41. Q, LIV, pt. 2, 698.

42. Clements Library, *Clinton Papers*, 1790-1792.





Soon afterwards he dispatched a second letter advising Levi to limit his activities to securing direct trading connections between Great Britain and Vermont, "where Lumber can be sold to Best Advantage & goods obtained on equally good Terms." This project was the only feasible one, he declared, because of the "considerable revolution" caused by Robinson's election as governor. "For me to attempt to convince people of the South end of the State with their prejudices is not worth the attempt." Ira charged that members of the Assembly were blindly prejudiced against him and his policies because he had become such a great land-owner.<sup>43</sup>

These letters informed Levi that the ultimate purpose of his mission to Britain had been frustrated by Nathaniel Chipman. Nevertheless, soon after his return to London from Georgia he conferred with Simcoe who informed Henry Dundas, Secretary of State for War and the Colonies, of the political changes which had occurred in Vermont. On August 2, 1791, he provided Dundas with his evaluation of Vermont sectionalism. He divided Vermont into two sections, assigning to each a dominant commercial interest. The section bordering on the Hudson River, he said, quite naturally desired a connection with New York; and its leader was Moses Robinson. The other, "by far the larger Division, & what is of more importance, unlimited in its Lands . . . from the circumstances of their waters flowing into the St. Lawrence is naturally disposed to a connection with Canada of this party are the Allens and Chittenden . . ." Simcoe declared that had the British government extended Levi credit, he might have arrived in the Champlain Valley in time to prevent Vermont's ratification of the Constitution. Levi, he explained, had wished to be in Vermont before the October, 1790, session of the Assembly in order "by a cargo directly imported from this Country to exemplify the advantages of a Commercial Intercourse" with Britain. He begged Dundas not to refuse Levi a loan solely because of his uncultivated backwoods appearance.<sup>44</sup>

Despite Simcoe's intervention, Levi never obtained a loan and he was forced to sail from Liverpool on September 11, 1791, with-

43. N.Y.S.L., *Levi Allen Papers*, Ira to Levi, Feb. 7, 1790.

44. *Report of the Public Archives of Canada for 1889*, 53.





out a cargo. He arrived in Windsor, Vermont, on October 27. To his great chagrin he learned that Vermont had ratified the Constitution. On November 27, he wrote Dundas that he was greatly mortified by the decision of the Convention, that he could truthfully state that if he had sailed up the St. Lawrence the previous year with a carefully chosen cargo of goods, Vermont would not have ratified the Constitution. Members of the Governor's Council and of the Assembly, he said, "now confess they are sorry, and feel themselves much hurt on hearing many advantages that would have accrued to Vermont if they had remained independent."<sup>45</sup>

Levi blamed not only the British government for Vermont's joining the states but also Chittenden and his brother. He declared that Chittenden was privately opposed to joining the United States. He accused Ira of voting at the Convention in favor of ratification because his "cursed lucrative ideas" had allowed a dispute between himself and Henry Caldwell of Quebec over the boundary between Ira's town of Alburg and Caldwell's Manor to prejudice him against the British.<sup>46</sup> Adam Mabane, a leading political figure in Quebec, declared that other difficulties between Vermonters and Canadians arose from the hostility of William Smith to Vermont after his arrival in the province in 1786 as the chief adviser to Dorchester. Mabane claimed that Smith's hostility had helped to create sentiment in Vermont favorable to its joining the United States.<sup>47</sup> Similar charges against Smith were made by Simcoe, Clinton and Samuel Peters. The latter, writing under the nom de plume of Evan Paul, excoriated Smith as a "loyal, royal, republican judge."<sup>48</sup> Nevertheless, the charge of Levi, Mabane and others, which placed the blame upon the shoulders of Ira, Chittenden and Smith, show that they were not aware of the real reason for Vermont's ratifying the Federal Constitution.

45. *Ibid.*, 56.

46. *Ibid.*

47. *B*, LXVII, 113-114.

48. *Proceedings of the Vermont Historical Society* (n.s. I, no. 3, 1930), 18-19.





## CHAPTER TWELVE

# The Aftermath of Union

The "considerable revolution" mentioned by Ira did not end with Vermont's becoming a part of the United States because the opposition to the Allens used its political influence to carry on this revolution further. It sponsored measures to amend the Vermont Constitution of 1777 to make it conservative; it rewarded its friends in New York with land grants; it decided in favor of the legality of the confirmatory patents issued by New York prior to the American Revolution; and lastly, it attempted to connect Lake Champlain with the Hudson River by building a barge canal.

Political conservatism was an outstanding characteristic of the opponents of the Allens and Chittenden. The Vermont Constitution was in few, if any, particulars expressive of the conservative point of view of the proper relationship between the legislative, executive and judicial branches of government. Furthermore, the concession of universal manhood suffrage in the Constitution was contrary to the Federalist thesis that in politics property should have as much, if not more weight than numbers. Possibly, Chipman, Tichenor and Morris considered that New York's Constitution of 1777 more adequately embodied their political theories. At all events, the difficulties which lawyers, merchants and creditors experienced during the post-war depression caused a conservative as early as 1785 to propose further checks in the Constitution on what he called "hasty measures." The passage of hasty measures, including a paper currency bill, had been defeated, as we have seen, with great effort by the conservatives.

Soon after Vermont joined the union, Asaph Fletcher, a conservative, wrote his friend Tichenor a letter in which he discussed what he thought was the greatest defect in the Vermont Constitution. He recommended that his letter be placed before the Council of Censors and suggested that it might be in the interest





of the state to amend or alter the provision of the Constitution which granted universal manhood suffrage. In this letter he raised the question "is there not danger in some cases that those who are persons of property may experience injustice & great injury in an undue appropriation of their property, from a combination of those who have none?" The other states, he said, "have generally if not individually in their Constitutions of Government . . . fixed a certain amount of property to be really owned or possessed as a requisite qualification."<sup>1</sup>

Possibly the proposal made by Fletcher was discussed at the meeting of the Council of Censors in 1792. Its reports did not recommend property qualifications for the suffrage in Vermont like those formerly required while Vermont was a part of New York. It did, however, recommend that the unicameral system of Vermont be replaced by the bicameral system, but this recommendation was not adopted by the Assembly because the attachment of the majority of the inhabitants to their democratic Constitution was too strong for them to approve of such a conservative amendment. Therefore, conservatives contented themselves with ridiculing Chittenden as a backwoodsman who lacked polish. They rejected the idea that Chittenden was the poor man's governor and that Tichenor would be the rich man's governor.<sup>2</sup>

Although the conservatives were not successful in revising the Constitution, they were fairly successful in their efforts to reward their friends in New York for their help in securing New York's recognition of Vermont's independence. Yorkers who were prominent in New York before and after the Revolution either were granted land on the payment of nominal fees, or were enabled to purchase lands at extremely low prices, probably in partial payment for their services.

One John Kelley, a Yorker land-speculator and a veritable Talleyrand in his ability to keep on good terms with the various political regimes in Vermont, doggedly represented the Vermont interests of both Revolutionary and post-Revolutionary leaders in

1. N.Y.S.L., *Isaac Tichenor Papers*, June 2, 1792. The Tichenor Papers were almost totally destroyed in the State Library fire of 1911.

2. *Vermont Journal*, Aug. 11, 1794.





New York. Before and after 1791, he was active in securing from the Vermont Assembly, which was at this time friendly to New York, land grants for himself and his clients. Among the old Yorker grantees, he numbered as his clients Cadwallader Colden. The latter wrote Kelley from Albany, October 19, 1793, to take any "measure (that you would do in your own case) to recover or get compensation for the Property our family lost in the State of Vermont."<sup>3</sup> Other Yorkers whom he represented or knew included John Jay, John McKesson, John Cozine, William Duer and Alexander Hamilton.

When in Vermont, he was careful to keep on friendly terms with Nathaniel Chipman, Isaac Tichenor and other powerful leaders. Kelley was personally interested in discovering how the political changes in Vermont would affect his own fortunes. Before the Revolution, he had owned land in twelve New York grants, and also blocks of land in military patents. He attempted to secure lands from the Assembly to compensate him for the lands which he had lost as a result of the Vermont Revolution.<sup>4</sup> The Assembly compensated him for his losses. On March 5, 1787, he received grants of land in Fairfield, St. George and Kellybrook, and he was permitted to make up the balance of his losses from vacant lands. Some of these lands, which now lie in the town of Lowell, passed immediately into the hands of his creditors, Alexander Hamilton and William Livingston who, in turn, sold them to William Duer, a prominent New York business man.<sup>5</sup> Indeed, during the meeting of the New York and Vermont commissioners in 1790, it had been agreed that Kelley would be compensated to enable him to pay his debts.<sup>6</sup>

Another Yorker who sought and won compensation was Samuel Avery who had invested in New York and New Hampshire grants many years before the Revolution. In 1789, the Assembly granted him fifty-two thousand acres. It also rewarded John Jay, who had supported Vermont's independence, by honoring the petition in

3. Tichenor Papers.

4. See Nye, *Vermont State Papers*, V, 414-416.

5. Hemenway, A. M. (ed.), *The Vermont Historical Gazetteer* (Burlington, 1868-1891), 5 vols., III, 276; Davis, Joseph S., *Essays in the Earlier History of American Corporations* (Cambridge, 1917), 2 vols., II, 277.

6. *Journal of the Assembly of Vermont* (Rutland, 1792), Oct. 27, 1792.





which Kelley and Chipman had recommended that a town be granted to him.<sup>7</sup> The town, to which he gave his own name, is situated in the northern part of the state.

The number of men prominent in the political and business life of New York who appear in the seventeen-nineties as owners of land under either New Hampshire or under Vermont title is sufficiently large to justify the assertion that Yorkers benefited by the reconciliation of Vermont and New York. Unfortunately for those who were granted land by Vermont or who bought land from Vermonters, the available land in the state was limited in area and lay almost wholly in inhospitable mountainous areas. Jay, for example, did not realize upon his holdings as he had perhaps hoped.

Vermont's reconciliation with New York, however, was neither stable nor permanent. Chipman and his party had not reckoned with the resourcefulness of Vermonters in finding new ways and means of fleecing Yorkers and other speculators who owned lands in Vermont. After 1791, Vermont landjobbers kept on buying lands at tax sales and selling them at a profit. The Assembly continued to pass bills authorizing towns to levy penny or two-penny taxes on each acre of land, the revenue from which was to be used for local public improvements. In the long run, absentee owners would benefit by such improvements because these would tend to increase the price of their lands. Certain of these acts, however, betrayed a long-existent bias against absentee owners. The inhabitants of Fletcher, for example, petitioned the Assembly to tax its lands at three cents per acre for the twofold purpose of building roads and forcing absentees to sell their lands. The petitioners complained that "the principal part of the landowners of Fletcher [are] not living in sd. town and they [are] estimating their Lands at so high a rate that the sale of their lands is far from rapid which deprives us of inhabitants."<sup>8</sup>

The sale of land for the non-payment of taxes opened wide the door for fraud and a final surge of land speculation in Vermont. One speculator, Ebenezer W. Judd, one time Middlebury resident.

7. *Records of the Governor and Council of the State of Vermont*, III, 110-111.

8. *Manuscript Vermont State Papers*, XX, 43.





secured lands sold for taxes by underhand methods.<sup>9</sup> On one occasion, Judd endeavoured to purchase lands by persuading a tax collector to place absentee-owned land on sale, despite the fact that they both knew that the land taxes had been paid by the lawful owner. He also attempted to obtain lands by paying back taxes, claiming falsely that he was the absentee and lawful owner.<sup>10</sup>

One absentee-owner said that these tax sales were surrounded with "great secrecy & apparent conniving to keep People in Ignorance how the Business was & what Land was likely to be lost."<sup>11</sup> Another non-resident flatly charged that tax sales were calculated solely as a means of speculation in land.<sup>12</sup> Joseph Fay, ex-Vermont, now living in New York, wrote James Whitelaw that "the Lands in your Country are shamefully taxed, it has become almost the only profitable speculation, the value of Lands are lessened in market, owing to such numerous taxes which so frequently change the titles and render them perplexed. . . ."<sup>13</sup>

To guard against fraud, many absentee-owners empowered James Whitelaw, one time Surveyor-General, and other Vermonters, to exercise watch and ward over their lands. Whitelaw discharged his responsibility faithfully towards his clients and on occasion he purchased lands at tax sales for himself. At one sale he purchased six and a half rights for two pounds, ten shillings, lawful money.<sup>14</sup>

The end of Yorker speculation in Vermont lands was, however, already in sight because most of the desirable lands in Vermont had been granted. Old wounds which had been reopened by the tax sales scandal were soon healed completely. Furthermore, Yorkers had new fields for land speculation in the western part of their own state which were greater than those opened after the French and Indian War in the northeastern part of the old Royal Province of New York, now the state of Vermont. Land sales in Vermont lagged because, as a correspondent wrote Ira, Yorkers did not like to purchase lands in Vermont except in large

9. *Whitelaw Papers*, French to Whitelaw, June 12, 1799.

10. *Ibid.*

11. *Ibid.*, Williams to Whitelaw, June 14, 1799.

12. *Ibid.*, Joseph Fay to Whitelaw, Sept. 3, 1797.

13. *Ibid.*, Fay to Whitelaw, Sept. 3, 1797.

14. *Ibid.*, Jan. 2, 1790.





tracts and then only if the price were low and the convenient situation of the lands could be proved. Because of the vast amount of land now on sale in New York "of excellent quality and indisputable title . . ." he said, "purchasers here are very timid and cautious with respect to Purchasing in Vermont . . . unless they can be well satisfied with the Authenticity of the title and the reasonableness of the price."<sup>15</sup>

Speculation in New York land and lands elsewhere lessened greatly the interest of Yorkers in Vermont. The only remaining undecided land question between the two states was the status of confirmatory patents issued by New York before 1772. Before that year, many New Hampshire grantees had sought confirmation of their New Hampshire titles by New York. Sixty confirmatory patents had been granted and nineteen issued.<sup>16</sup> Thousands of acres had been sold by owners of New Hampshire grants to secure funds to pay for the confirmation of their titles by New York. Prior to 1791, Vermont courts had not passed upon the legality of these confirmatory patents. After the "considerable revolution," the opposition to the Allens under the leadership of Chipman forced a decision upon their legality. Chipman, it is said, recognized that New York's claim to Vermont lands since 1664 was legal and not the New Hampshire title. As Chief Justice of the Supreme Court of Vermont, he rendered a decision in 1791 in the case of *Paine & Morris vs. Smead* which, as his brother, Daniel, later wrote, did substantial justice to both parties.<sup>17</sup>

The litigation arose when the defendant, Smead, seized a parcel of 3,000 acres which had been sold by New Hampshire grantees (of which he was one) to pay the New York confirmation fees for other lands they owned. Smead defended his actions by claiming that its sale was illegal because Vermont did not recognize any title derived from New York. The plaintiffs, Paine and Morris, argued that Smead had agreed to the sale of the parcel and also that all the persons involved had so agreed. In his decision, Chipman decided that a title derived from New Hampshire which had

15. N.Y.S.L., *Ira Allen Papers*, 1774-1793, James Savage to Ira, Feb. 5, 1792.

16. Jones, *Vermont in the Making*, 110-112.

17. Chipman, D., *The Life of the Honorable Nathaniel Chipman* (Boston, 1846), 101.





been confirmed by New York after 1764 was a legal title in Vermont. He added, however, "had the question arisen between a New York claimant and a claimant under New Hampshire, who had disagreed to these proceedings and refused any benefit under the second grant, it might have had an other consideration; at least it would have stood a more favorable light." In answer to the defendant's contention that the sale of the 3,000 acres had been wrung from the New Hampshire grantees under duress, the court replied, that it was "a wholly new doctrine that the greatness, or, if you will, the enormity of the consideration given, should invalidate a grant."<sup>18</sup>

This decision validated all confirmatory patents which had been generally accepted by the confirmees, thereby ending all disputes between New York and Vermont over land titles. Chipman's achievements in securing a compromise of the Vermont-New York land title dispute in a manner very favorable to Vermont, his activities in the ratifying convention and his decision in the case of *Paine & Morris vs. Smead* entitle him to a respected place in Vermont history as a man who demonstrated a capacity for constructive statesmanship.

Chipman's greatness rests also upon his recognition that land politics was not alone responsible for the reluctance of many Vermonters to enter the union. He saw clearly that the commercial ties between the Champlain Valley and the Province of Quebec were largely responsible for the separatism of the Allens and others living in the Champlain Valley. As a spokesman for the Southwest and as a Hamiltonian nationalist, he sought to end this aloofness and indifference to the United States by building a canal to connect the Hudson River and Lake Champlain. To help win Vermont's ratification of the Constitution, he and his associates had employed the rumor that such a canal was to be built. In October, 1791, a resolution was introduced into the Vermont Assembly requesting "that the Legislature take into consideration the expediency of opening a commerce between the waters of Lake Champlain and Hudson's River, and also rendering the navigation of

18. Vermont, *Supreme Court Reports* (1824), I, 56-59.





the Connecticut River more easy and advantageous for traders.”<sup>19</sup>

Sometime during the following winter, Chipman discussed with Philip Schuyler, New York's foremost advocate of a State canal system, the building of a Hudson-Champlain canal. Schuyler thought that canals should be built around the Little Falls of the Mohawk and that the remainder of that river should be made navigable. He agreed with Chipman that a canal to connect the Hudson with Lake Champlain was highly desirable. New York's commerce would be greatly increased by these canals because they would furnish New York with the means of extending its commercial influence north and west into the hinterland of its great rival, Montreal.<sup>20</sup>

Chipman described the effect of a Champlain canal upon the trade of Quebec and New York. “Were a water communication opened as proposed,” he wrote Schuyler on January 25, 1792, “the Quebec trade would be immediately deserted except for lumber—the whole would center in New York.” After enumerating and describing the agricultural and mineral resources of both shores of the lake, he predicted that “it would not be extravagant to suppose that through this channel only New York would in less than ten years command the trade of 100,000 people.”<sup>21</sup>

In the same year the Northern and Western Inland Lock Navigation Companies were chartered by the State of New York to make the Mohawk navigable and to connect the Hudson with Lake Champlain. Philip Schuyler, President of both companies, appealed to merchants in New York to purchase stock. Stockholders of the company which was chartered to build the Champlain Canal soon totalled 562 in New York, 110 in Albany and included such firms and persons as Leroy & Bayard, Rufus King, Robert Troup and Gilbert Aspinwall.<sup>22</sup> During the spring of 1792, the canalizing of Wood Creek and the building of locks began. From the start, however, the Northern Inland Lock Navigation Company experienced unforeseen difficulties because its engineering staff was inexperienced, although the chief engineer, James

19. *Records of the Governor and Council of the State of Vermont*, IV, 448.

20. N.Y.P.L., *Schuyler (Canal) Papers*, Chipman to Schuyler, Jan. 25, 1792.

21. *Ibid.*

22. The lists of stockholders are in the *Schuyler (Canal) Papers*.





McCotter, claimed to have had invaluable training in the building of canals in Scotland. Furthermore, the financial strength of the company was sapped by the failure of 240 subscribers to pay for their stock.<sup>23</sup> Possibly, many defaulted because they were financially embarrassed by the business slump which sent Hamilton's friend, William Duer, to a debtor's jail.

Private finance in the end proved incapable of providing sufficient funds to complete the Champlain Canal. Therefore public financial aid was requested by the company. New York State responded by granting subsidies totalling \$37,000 to each of the companies. The continued poor performance of the Western and Northern Inland Lock Navigation Companies caused the state to oppose further grants of public funds, beyond instructing the State Treasurer in 1795 to purchase 200 canal shares.<sup>24</sup>

Philip Schuyler endeavoured to secure financial aid for the Northern Company from Vermont even though he had been warned in advance of the hostility of the inhabitants of the Connecticut Valley to the Champlain Canal. John Williams, a Southwesterner, wrote Schuyler on July 10, 1793, that "the people on this side of the Green Mountains and on the East side of the Lake are anxious that the Canal should be completed, but they say an opposition to an encouragement is made by Members East of the Green Mountains."<sup>25</sup> Undismayed by the opposition, Schuyler wrote Chittenden on October 17 requesting that he use his influence to secure aid for the distressed company. He proposed that the Assembly either grant an outright cash subsidy or purchase a number of shares of stock. "It is certainly needless," he said, "to detail the advantages which will be derived by the community from a completion of the contemplated work."<sup>26</sup> Chittenden referred the letter to the Assembly. A committee was appointed which recommended that the Assembly authorize the state to purchase twenty shares.<sup>27</sup> Much to Schuyler's dismay, the Assembly never acted on this recommendation.

23. *Records of the Governor and Council of the State of Vermont*, IV, 335.

24. Whitford, N. E., *History of the Canal System of the State of New York* (Albany, 1906), 2 vols., I, 34.

25. *Schuyler (Canal) Papers*.

26. *Records of the Governor and Council of the State of Vermont*, IV, 449-450.

27. *Ibid.*





Failing to secure any further aid, the company could not fulfill the expectation that it would complete a canal able to carry the bulky raw materials of the Champlain Valley to the mouth of the Hudson. By 1797, more than \$100,000 had been spent without producing the results desired. The Champlain Canal waited a quarter of a century to be completed.<sup>28</sup>

As a result, bulky articles had to be shipped from the valley to Quebec. Yet Quebec as a market for lumber, no less than as a source of supply for manufactures, continued to disappoint the Allens and other Vermonters for some years after Vermont entered the union. When the United States Customs District was established at Alburg, Vermont, in 1791, Vermonters had protested that they would be forced to pay double duties, one at Quebec, and another at Alburg. This protest was undoubtedly made in anticipation that large amounts of European goods would enter the state via Quebec. But the amount of these importations remained relatively small in the early nineties. A revealing commentary on the small volume of the trade between Vermont and Quebec is found in the unhappy business career of Stephen Keyes before he was appointed as the first American Customs Collector at Alburg. He sought the position because of his losses in the Canadian market. He had acquired a good reputation in Montreal and Quebec as a lumber merchant; but the continued depression in the market for that article and his "misfortunes due to uncertainty of navigation of Lake Champlain" had forced him to retire from business.<sup>29</sup>

Regardless, however, of the unfavorable conditions at this time in the Quebec lumber market, the failure of Schuyler's Company to complete the Champlain Canal dealt a body blow to Chipman's efforts to strengthen the commercial ties of the Champlain Valley with the United States. Political union was not followed by commercial union, the lack of which Chipman saw was largely responsible for the continuance of separatist feelings among his fellow Vermonters in the Champlain Valley.

28. Whitford, *op. cit.*, I., 409-410.

29. *Vermont State Papers*, XIX, 24.





## The Allure of Canadian Lands

Although the Quebec market was in the doldrums, the interest of Vermonters in the Canadian province continued undiminished in the years immediately after Vermont joined the union. Whereas in the Critical Period the chief interest of Vermonters in Quebec had been freedom to trade with that province, in the years immediately after federation their chief interest was in the acquisition of Canadian lands. This interest was the more intense because most of the desirable lands in their own state were already granted. The decade of the nineties has been often referred to as the Golden Age in Vermont's history, but it was not the Golden Age for land speculation. The reservoir of land which had been tapped successively by speculators in New England, New York and Vermont had at last run dry.

Consequently, Vermonters would have to migrate to new fields for land speculation or abandon it for other activities. A few responded to the lack of good lands in Vermont by going to New York and at least one, Ebenezer W. Judd, abandoned land speculation to engage in selling Vermont marble. The majority, however, chose to seek ungranted lands lying near by in the Canadian province. These lands were eyed hungrily by Vermonters who looked forward eagerly to securing the consent of the province to their engaging in land speculation. Profits on either side of the border depended largely on securing land before the arrival of the settler. The Vermonters' expectations for profitable investment in Canadian lands were confirmed by the knowledge that the New England frontier was approaching the province.

A generation before the Revolution, the British government had attempted, but unsuccessfully, to deflect the American frontier from the west to the Province of Quebec by the Royal Proclamation of 1763, which promised grants of land and the establishment of a provincial assembly. Not until 1783, or thereabouts, had





the frontier advanced far enough north to be even poised on the border. What the British had failed to effect a generation before by a Royal Proclamation was now effected by the lack of desirable lands in Vermont and elsewhere in New England. Quebec was becoming an attractive place for Americans to settle.<sup>1</sup>

The boundary of 1783 did not present any natural obstacles to the passing of settlers over the frontier from Vermont into Quebec. It cut across the natural routes of transportation, communication and migration. The province could be reached easily by passing from the upper Connecticut River into its southeast corner. West of the Green Mountains, whose northward extension into Quebec is known as the Notre Dame Mountains, settlers could enter through the Lake Memphremagog gateway or through the Missisquoi River Valley which crosses and recrosses the border, or through the major gateway, Lake Champlain and the Richelieu River.

The desire of Vermonters to settle in Quebec posed a problem for the Canadian government which was made more delicate and perplexing by the fact that these settlers were no longer British subjects but American citizens. The first British response to the approach of the American frontier was to slam shut the back doors of their province. Lord North instructed Haldimand, July 24, 1783, to exercise the greatest care that all applicants for land take the usual oaths and make a declaration acknowledging the British Parliament as the supreme legislative power. At the same time, he warned Haldimand to be on guard against "disaffected persons becoming settlers in Quebec."<sup>2</sup>

The attitude of the British towards the loyalists from the American states who arrived in the province during and immediately after the Revolution was very different. Haldimand cared for them to the best of his ability; he gave them provisions and granted them land at some distance from the border. He forbade loyalists to settle near it and, to enforce this prohibition, he threatened to burn the makeshift dwellings of those who had settled there.<sup>3</sup>

1. Hansen, M. L., Brebner, J. B., *The Mingling of the Canadian and American Peoples* (New Haven, 1940), 68-69.

2. N.Y.P.L., *William Smith Papers*.

3. B, LXIII, 269.





One reason for his threats of severity arose from his fear that settlers near the border would engage in smuggling, as they had done near the close of his negotiations with the Allens. Another reason was Haldimand's desire to provide a barrier against Vermont by keeping the border a wilderness. Canada, declared Philip Skene, "will be liable to be insulted even in times of Peace by a Banditti, or free Booters, that sett themselves above Law, to the detriment of His Majesty's Subjects. . . ."<sup>4</sup> Haldimand agreed, saying, "Americans . . . cannot be expected at least for some years, to become good neighbors."<sup>5</sup> He also opposed border settlements because he wished to prevent trouble between Americans and Canadians by keeping the border uninhabited and he declared to North that he had refused to grant border lands either to Vermonters or to loyalists who had petitioned for them.<sup>6</sup> So angry were loyalists at Haldimand's decision that it was reported that they were determined to bring the General to trial for refusing to grant the lands for which they had petitioned.<sup>7</sup>

Above all, Haldimand proposed with great foresight to reserve the lands as yet ungranted for the future use of French Canadians. He hoped that they would in time provide a buffer between loyalists and Americans who, as Samuel Peters wrote, "are like the Jews and Samaritans & . . . death only will cure their hatred."<sup>8</sup> In reserving these lands for French Canadians, Haldimand did not foresee danger in their mingling with Americans settled near the border. He believed that the French Canadians would be more impervious to American principles than democratically-minded loyalists who had fled from the American backcountry to Quebec.

Haldimand's attitude towards those Americans who came into the province in the hope of securing lands rather than from loyalty to King and country followed specifically the instructions he had received from Lord North. These Americans, known as late loyal-

4. N.Y.S.L., *Miscellaneous Manuscripts*, No. 7289.

5. B, LXIII.

6. S, XX, 71.

7. B, LCXXVIII, 299-300.

8. P.A.C., *Chatham Manuscripts*, 1782-1805, 103-104, Peters to Mr. Davidson, Dec. 26, 1791.





ists, were not welcomed by Haldimand nor by loyalists already in Quebec. A few, however, managed to pass themselves off as genuine loyalists, but some of these were unmasked and denounced to the Canadian government.<sup>9</sup> The genuine loyalists who had settled at Sorel on the Richelieu complained of the niggardliness of the government in complying with their wishes, while "at the very time people who came in since the peace are receiving everything and more than the honest man." They pointed a finger of accusation at one Bostwick, among others, who had arrived since 1783, and they characterized him as "the greatest Rebell's son that ever was in Albany."<sup>10</sup>

After the lodging of many complaints against late loyalists, the British government issued instructions that they were not to share in its bounty. Nepean instructed Lieutenant-Governor Henry Hope on August 25, 1785, that he was not to give provisions to Americans moving into Quebec unless they could prove themselves to be loyalists.<sup>11</sup> Haldimand had previously taken the precaution of ordering that neither provisions nor land, as had been granted "to Loyalists who took an active part for Government," should be given to late loyalists.<sup>12</sup>

The return of Haldimand to England and the arrival in Quebec in 1786 of Guy Carleton, now Lord Dorchester, brought a complete reversal of Haldimand's policy of reserving provincial lands for genuine loyalists and French Canadians. The man most responsible for this reversal was William Smith. He was probably the most powerful person in Quebec at this time.<sup>13</sup> As Chief Justice, Smith, instead of viewing American immigration with alarm, proposed to encourage it. His goal was the restoration of the British Empire in North America. He hoped to make the Province of Quebec so prosperous and well-ordered as to attract the favorable attention of Americans, still in the throes of the Critical Period. Smith believed that the American Revolution had been precipitated by a well-organized minority, and that by no means

9. Hansen, M. L., Brebner, J. B., *op. cit.*, 64-65.

10. S, XXVIII, 123.

11. C.O. 42, XV11, 97.

12. B, LXIII, 258.

13. Burt, *The Old Province of Quebec*, 422.





all persons of loyalist sentiments had fled from the American states to the British possessions. By erecting a representative although not democratic Assembly, by replacing French commercial law with English and by borrowing the New England land system for the new settlements, he hoped to attract American merchants and farmers who would in time outnumber the French Canadians. It was common knowledge that Smith had won Dorchester's support of his policies. "Our Chief Justice's Politics," wrote Henry Hope to Nepean, January 7, 1789, "have made a perfect convert of a certain Person."<sup>14</sup> Another report was to the following effect:

[there is] little doubt of intentions of Smith respecting waste lands as well from the Acknowledgments he owed to his friends in the States by whose means he saved property from confiscation, as from his language and conduct. The notion still prevails and is by many openly avowed that the Canadas must be annexed to the States Whenever they shall chuse to unite them. Smith's language is that . . . a rising colony . . . [must] adopt every Citizen who wishes to come in whether he be a rebel or no.<sup>15</sup>

Smith's unfortunate experience with Yankee speculators and settlers in the New Hampshire Grants had taught him that the best way to attract settlers from the States would be to offer land in fee simple. Described as "a gentleman who had been long conversant in the practising of the Land Granting Department in the former Colonies of New York and New Hampshire,"<sup>16</sup> Smith thought that to expect Americans to be willing to live under the French seignorial system was preposterous.

By the Constitutional Act of 1791, his policies began to be realized. The Canadian government, employing powers granted under the act, divided Quebec into two provinces. That portion of the old province bordering upon the upper reaches of the St. Lawrence and the north shores of the Great Lakes became the Province of Upper Canada; it was promised an elective legislature and freehold tenure. The lower portion of the old province be-

14. C.O. 42, XXI, 3-4.

15. *Ibid.*, XXII, 87-89.

16. P.A.C., *Canada Public*, Series E, 182-191.





came the Province of Lower Canada. While the act did not require the establishment in Lower Canada of an Assembly or the introduction of freehold tenure, the British, particularly Lord Grenville who actually framed the bill, anticipated that both would be established as indeed they soon were.<sup>17</sup>

The changes in Canadian land policies which Smith advocated began in Lower Canada during the year after the passage of the Constitutional Act. On February 7, 1792, Sir Alured Clarke, Lieutenant-Governor of that Province, issued a proclamation which set forth the terms upon which the vacant lands would be granted and letters patent issued. Land was to be granted in townships, with the Crown reserving rights to ship and mast timber and sub-soil resources, and land needed for the support of the Protestant clergy. The townships were to be divided into two hundred acre lots and no individual grant was to exceed twelve hundred acres. Letters patent would be issued to petitioners upon proof that their land was in the process of settlement and cultivation, and that they had taken the oath required by His Majesty's thirty-fifth instruction.<sup>18</sup>

On February 20, the Executive Council of which Smith was President was authorized to receive petitions for land. As has been seen, the instructions as to the procedure to be followed by the Council in granting lands were extremely explicit. Smith recognized in these instructions obstacles to the realization of his own plans. At a lengthy meeting of the Council, on March 17, 1792, he argued that individual petitioners would find it difficult to fulfill the conditions imposed by the instructions. He urged, instead, that one of a group of persons petitioning for a township be designated its leader and be permitted to receive the grant of a township, take the oath on its behalf, distribute land to his associates and retain for himself a share of the proceeds which might total more than 1200 acres. "En somme," as Ivanhoë Caron has commented, "le Président du Conseil, sans se prononcer catégoriquement, proposait une interprétation plutôt large des instructions

17. Burt, *op. cit.*, 484-496. The Act is printed in Shortt, A., Doughty, A.G., *Documents Relating to the Constitutional History of Canada, 1759-1791* (Ottawa, 1915), 1031-1051.

18. Caron, Ivanhoë, *La Colonisation de la Province de Québec* (Québec, 1923-1927), 2 vols., II, 25-28.





royales.”<sup>19</sup> When Smith’s proposal was authorized on March 22, land-speculators were in effect invited to enter the Province of Lower Canada.

John Graves Simcoe, the first Lieutenant-Governor of Upper Canada, distributed Clarke’s Proclamation and a similar one for Upper Canada throughout New England and New York. He recommended to Dundas “that the whole of the Proclamation may appear in those newspapers of our West India Islands, as the best means of their being transmitted to the United States, the land jobbers of which are industrious in preventing them from being dispersed from this country.”<sup>20</sup> He, however, had numerous friends in New England who distributed copies of it. One of them declared, “I have spread your proclamation as far south as New York, Massachusetts, Connecticut and New Hampshire.”<sup>21</sup>

The attractiveness of the lands offered by the proclamations did not rest wholly upon their geographic situation. These lands, if conditions were met and fees paid, were to be had for the asking and were not to be burdened by unpopular taxes as lands were in the American States. Vermonters, it was said, desired to remove to Lower Canada to escape paying the land taxes levied in Vermont.<sup>22</sup> The Indian menace which still existed in the interior provided another reason for migration to Lower Canada. “Emissaries of the speculators,” Samuel Peters declared, “have circulated such fears mongst the People that few will at present move into Upper Canada while thousands prepare to settle near Missisquoi Bay.”<sup>23</sup>

The response of Americans to the Clarke and Simcoe Proclamations was immediate. “The people of the United States continue to send Agents, at least people come in calling themselves Agents, who sit down and write a string of Petitions in favor of A.B.C.D. E.F. etc., going thro’ the Alphabet.”<sup>24</sup> As might be expected, many Canadians who had capital for investment applied for warrants of survey, among them George Allsopp, the merchant, James Glennie,

19. *Ibid.*, II, 30.

20. “J. Ross Robertson” *Simcoe Papers*, II, Bk. 2, 69.

21. V.H.S., *John Baker to Simcoe*, n.d.

22. S., XXV, 100.

23. C.O. 42, XXI, 269-270.

24. *Ibid.*, XXII, 338.





late of the Champlain Valley lumber trade, Francis Baby, Montreal merchant, Henry Caldwell, Simon Fraser Jr. and Alexander Henry. By far the greater number, however, were Americans or loyalists.<sup>25</sup> Heading the list of Americans who requested warrants of survey was the great New York fur-trader, John Jacob Astor. The remainder were lesser folk of the New England frontier of whom the majority were living in Vermont. The land records of the Province of Lower Canada in the Canadian Archives contain many petitions for land, some small, some monster in size. These petitions came from Brattleborough, Bennington, Burlington, Windsor, Williston, Pawlet, Rutland, Pittsford, Ferrisburg, Charlotte, Monkton and other towns.<sup>26</sup>

Among those who petitioned for land were loyalists or individuals whose opportunistic conduct during the Haldimand Negotiations entitled them, so they assumed, to a share of Canadian lands. Many of them had not seen fit to remove from Vermont after the failure of these negotiations. Such was the case of Luke Knoulton, who had striven so mightily to reunite Vermont to Great Britain that he had been forced to flee Vermont, returning only after the furore over the Haldimand Negotiations had subsided. He, in company with Josiah Arms, petitioned for the township of Stukely on March 26, 1792. On May 3, he reminded the Lower Canadian Government of his "activity as secret agent in Important Concerns the papers of which had to be destroyed."<sup>27</sup> Another of the same character was Nathan Stone, a member of an old Yorker family who during the Revolution had been a Lieutenant "in His Majesty's Services," and at one time imprisoned for loyalism.<sup>28</sup> Still another loyalist was Abraham Cuyler, ex-Mayor of Albany, who said that he was at present residing in Albany.<sup>29</sup>

From Brattleborough came a petition from Samuel Gale, son-in-law of Samuel Wells. He was a friend of William Smith and knew many Vermonters, including the Allens. Another son-in-law of Wells, Micah Townshend, also petitioned for land. He, too,

25. See S, Land Committee Minutes, Feb. 20, 1792--Sept. 24, 1793, *passim*.

26. *Ibid.*

27. S. Land, Stukely, 1792-1840.

28. *Ibid.*, Land Sundries, 1795-1798.

29. *Ibid.*, Land, Farnham, 1792-1794.





had survived the various phases of the American Revolution in Vermont.<sup>30</sup> Abel Spencer, an avowed loyalist himself and son of the Yorker loyalist of the same name, claimed in his petition that his father had sacrificed his life for his King during the Revolution and that all his lands, most of them in Vermont, had been confiscated.<sup>31</sup>

The most celebrated of the loyalist petitioners was Levi Allen. His heart had been broken when Vermont became the Fourteenth State. His dreams of prospering at St. Johns had been destroyed. Temporarily, he was estranged from his brother, Ira, because of Ira's voting to ratify the Federal Constitution at the Vermont Convention of 1791. Clarke's proclamation revived his drooping spirits, and he wrote his brother, "I have dropped a *tear* over the expiring Family Honor, but am drying them in full hopes and Faith that a *Phenix* will arise out of the ashes."<sup>32</sup> "Six hours after receiving Proclamation," he wrote the Land Committee, "I was on my way for Quebec."<sup>33</sup> As an avowed loyalist, Levi was careful to disassociate himself from his Vermont origins. He declared that he owed it to himself to state that he was not responsible for Vermont's behavior since the Revolution, adding that he had never received an acre of land from the State of Vermont and that New Hampshire had granted him his lands. "Only public business I have done for Vermont was negotiating a commercial intercourse with Quebec."<sup>34</sup> As soon as he arrived in the province, he requested warrants of survey for three townships and received two, Barford and Kingsland.

By this time, the Canadian government had become aware of the questionable means by which he had attempted to secure land grants. A report on an earlier petition of his suggested that of 2090 signatures, 1779 were written by one person whom it suspected was Levi, and it noted similar irregularities in his other petitions.<sup>35</sup> Levi employed an amusing stratagem when he

30. *Ibid.*, Land, Farnham, 1792-1794.

31. *Ibid.*, Land, Wotton, 1792-1830.

32. V.H.S., *Levi to Ira*, June 28, 1793.

33. S, Land, Barford, March 6, 1792.

34. *Ibid.*, March 16, 1792.

35. *Ibid.*, Land, Lake Memphremagog, Report of Henry Motz, July 9, 1787; S, Land Committee Minutes, II, 117.





was in Quebec in April of 1792 to petition for a township on behalf of his brother-in-law, William Coit. Soon after he arrived in Quebec, he learned that Ebenezer Hovey and Henry Cull were preparing a petition for the land he wished to secure for Coit. Levi met the crisis by pre-dating his petition to April 14 and sailing into the Land Committee's offices on the eighteenth ten minutes ahead of the unsuspecting Messrs. Hovey and Cull.<sup>36</sup>

The most delicate problem facing the Land Committee was how to respond to petitions presented by Vermonters who had been active supporters of the American Revolution. These persons simply presented a petition to the Land Committee, respectfully praying for warrants of survey. One of them obtained references from Governor Chittenden, who at this particular time was not in the good graces of the Canadian authorities.<sup>37</sup>

Americans in this category did not have to despair of securing Canadian lands because loyalist friends in Quebec and Vermont stood ready to assist them. Levi Allen not only sponsored a petition for Coit but also aided a group of embittered and disillusioned Shaysites from Williamstown, Massachusetts, to obtain a warrant of survey. William Smith had long been confident that the hatred of many New England backcountry settlers for the New England seaboard would induce them to move to Canada, and his expectations were fulfilled to a degree by the desire of some of them to migrate to his province. Levi remarked, in petitioning on behalf of Elijah Baker and Elijah Clark, "they and a great part of associates were with Shays Party, about five years since, being then unsuccessful, have been dissatisfied ever since, as well as a long time before."<sup>38</sup>

By the end of 1792, 3,000,000 acres had been warranted for survey in 150 townships, the majority of them in the Eastern Townships.<sup>39</sup> The overwhelming number of applicants were Americans; indeed, it has been estimated that nineteen-twentieths of those persons petitioning for land in Lower Canada at this time were

36. *Ibid.*, Land Committee Minutes, Feb. 20, 1792-Sept. 24, 1793, 89-90.

37. See Petition of William Coit, May 21, 1792, in S, Land Sundries, 1791-1794.

38. *Ibid.*, Land, Barford, Levi to Lieutenant-Governor Clark, April 20, 1792.

39. *Ibid.*, Land Committee Minutes, 1793-1797, III.



residents of the American States.<sup>40</sup> Land-hungry Americans were seemingly embarked upon an era of peaceful penetration of Lower Canada and an equally peaceful acceptance of British institutions. The expediency of Smith's policies appeared to have been brilliantly vindicated.

40. C.O. 42, XXII, 87-89.





## Conflicting Strategies

Three months after Lieutenant-Governor Clarke had issued the land proclamation, France declared war upon Austria and the wars of the French Revolution began. History had shown that wars in Europe usually brought conflict between the North American colonies of the European warring nations. Although the American colonies had declared their independence and were no longer under the control of a European power, the renewal of the struggle between Great Britain and France, fought on sea as well as land, was bound to involve the maritime interests of the United States as a neutral power.

Great Britain, as a greater naval power than France, violated American rights as neutrals more often than France during the earlier phase of the war. Meanwhile, in North America, the refusal of Great Britain to evacuate the western posts was alone sufficient cause for creating ill-will between the United States and Great Britain. This feeling swiftly rose to a climax when Dorchester, in February, 1794, provoked Americans by a speech to the Indians in which he said that the British-American impasse might lead to war. Shortly thereafter, he ordered John Graves Simcoe to advance to the Maumee River. In the following August, 1794, Mad Anthony Wayne won his victory over the Indians in that country at the Battle of Fallen Timbers. Great Britain and the United States appeared on the verge of war.<sup>1</sup>

This new crisis was bound to affect the relations between Lower Canada and Vermont, as much as the revolutionary war had affected the relations between the old Province of Quebec and the New Hampshire Grants. Once more Vermonters differed in their estimate of the role their state should play in an Anglo-American crisis. During the Revolution, Vermont had at first fought alongside the American states against Great Britain, then, later, had

1. Burt, *The United States, Great Britain and British North American*, 137-140, 157.





withdrawn from the Revolution to negotiate with the British in Quebec, not only for neutrality but also for the purpose of becoming again a part of the British Empire. Now two groups within the state were supporting these opposite views again, one favoring war against Great Britain, the other favoring neutrality or, if possible, alliance with Great Britain. Actually, the underlying purposes of both factions were the same—speculation in Canadian lands, free navigation of the St. Lawrence and construction of a ship canal around the Richelieu Rapids. One faction was composed of Levi and Ira Allen, Thomas Chittenden and John A. Graham, a mining promotor of Rutland, who described himself as an "American Englishman." The other drew its major support from the members of the famous Democratic Societies. In Vermont these societies were particularly active west of the Green Mountains—in Bennington, Rutland, Addison and Chittenden counties. The membership, far from being drawn wholly from the farming and artisan classes, included such substantial land-owners and business men, as Silas Hathaway of St. Albans, Matthew Lyon of Fairhaven and Levi Allen's brother-in-law, William Coit.

Although the Allens sympathized with the aims of the Democratic Societies, they were careful to disassociate themselves in public from their activities. So similar were the aims of the Allen-Chittenden faction to the aims of the Democratic Societies that Matthew Lyon could, without compromising basic principles, secretly support both. His sympathies, however, were primarily with the Democratic Societies. His belligerent anti-Federalism led to his imprisonment for violation of the Sedition Act of 1798 which Federalists had passed in order to crush all opposition to their anti-French policies and their conservative domestic program.

Even before the outbreak of the wars of the French Revolution, the *Bennington Gazette* printed a news item which indicated a revival of Vermont's desires to conquer the Canadian provinces. In it, the writer declared that they could be conquered with ease and that

... where Wolf, Montcalm and brave Montgomery bled,  
FREEDOM shall rear her long-dejected head;





Fayette's bold deed some kindred souls shall fire  
And bid his views to glorious heights aspire,  
The Ambitious aim of sovereignty controul,  
And bid fair freedom greet the northern pole.

The writer asked why the British retained the Canadas in view of the expenses of their governments and the small amount of their trade. He answered his own question by saying that Britain probably retained them because they provided political patronage and "mere pride and domination."<sup>2</sup> Obviously, if "FREEDOM" were to be brought to the Canadas by Vermonters, their desire for more land and navigation of the St. Lawrence would be achieved.

After the outbreak of the French revolutionary wars, many Vermonters sided with France against conservative Great Britain because they believed that France was fighting for the same democratic principles for which they had fought in their own revolution. After the arrival of Edmund Gênet in the United States, these Vermonters hoped that his influence would help them realize their ambitions to conquer the Canadian provinces. He and his successors desired to restore the Canadas to France.<sup>3</sup> These French ministers worked hand in glove with members of the Democratic Societies which ardently supported the cause of the French Revolution on the one hand, and opposed Federalist domestic and foreign measures on the other.<sup>4</sup>

Not only were the societies active in Vermont but they also maintained connections with Americans and Canadians in Lower Canada who sympathized with their views and shared their ambitions. Ardent democrats on both sides of the border hoped to secure French Canadian support by arousing their lingering attachments for France and their antipathy to the feudal institutions which the British had perpetuated in Lower Canada. Vermonters had never abandoned their belief in the utility of democratic ideas. Democratic propaganda had helped them to separate the Grants from New York and it might now aid them to detach Lower Canada from the British Empire.

2. Quoted in *New York Packet*, June 30, 1791.

3. Turner, F. J., "Policy of France Towards the Mississippi Valley," *American Historical Review* (X, January, 1905), 247-249.

4. See Link, E. P., *Democratic-Republican Societies, 1790-1800* (New York, 1942).





Simcoe in Upper Canada and Dorchester in Lower Canada were increasingly alarmed by the mysterious and secret activities of Freemasons and Democrats. Simcoe charged that Montreal Freemasons were carrying on a correspondence with Vermonters "injurious to the King's interests."<sup>5</sup> The Solicitor-General of Lower Canada stated that he had found the Montreal region in a state of "Almost universal and alarming disaffection."<sup>6</sup> This unrest was said to be confined largely to French Canadians of the lower classes who, as in France, were inspired by revolutionary doctrines to oppose feudal institutions. In French Canada, these doctrines increased the opposition of the habitants to the seigneurs.

Dorchester was so alarmed that he thought it his duty to inform the British government of these indications of unrest. On April 26, 1794, he wrote Henry Dundas, new Secretary of State for War and the Colonies, that French intrigues were gaining ground in the United States and that Vermonters had made proposals to the Americans that they be allowed to conquer and plunder Canada unaided.<sup>7</sup> Dorchester's reports had some foundation in fact. *The Vermont Gazette* of Bennington published on March 15, 1793 a report received from Lower Canada which stated that republican principles had made headway among Canadians, and that Democratic Societies had been formed which held frequent meetings. On the whole, the report concluded, "it appears highly probable that the extensive province of Canada will at an early period, add one to the number of independent free republics to grace the western hemisphere." In the summer of 1794 Dorchester called out the militia to protect the government against any eventuality.

As the Anglo-American crisis came to a head, the attitude of Vermonters became more and more menacing. As early as March 28, 1794, the *Vermont Gazette* carried a Canadian report that a war between the Americans and the Indians in the west was imminent. It intimated that Dorchester would withdraw his support of the Indians "in case war really ensued" and in case the United

5. *Q.* LXIX, pt. 1, 59.

6. *Ibid.*, LXIX, pt. 1, 54.

7. *Ibid.*, LXVII, 191.





States saw "cause to farm to Vermont the capture of Canada." On May fourth, the Rutland Democratic Society issued a series of resolves. One was directed against Hamilton's funding of the debt and the establishment of the Bank of the United States, both of which were declared to favor unduly "speculators and funding system men; one was in favor of adequate defense of Lake Champlain; and one approved a harsh address to Dorchester "on the subject of his execrable villainy in rousing the savages of Canada to prepare for butchery of the people of the United States."<sup>8</sup> On May 16, the Democratic Society of Chittenden County condemned Dorchester's actions, although "in the last war, Sir, you was generally esteemed amongst the most humane of British officers." The society thereupon threatened an invasion of Lower Canada in which disaffected Canadians would join.<sup>9</sup>

Meanwhile the Allen-Chittenden faction secretly prepared for Vermont's neutrality and alliance with Great Britain in case of an Anglo-American war. It revived the separatist project of 1789-1790 to supplement the already existing geographic and economic ties with political and religious ties. Once more, the Allens and Chittenden hoped to persuade the Vermont Assembly to grant lands to the S.P.G. for the support of Peters' church, they wished the British government to build a Richelieu canal and they desired to participate in the granting of Canadian lands. Emboldened by the prospect that Britain's necessity would force her to support all of Vermont's ambitions, they actually plotted to annex to Vermont western New York as far as Niagara and they even viewed greedily lands near the British post at Detroit. The object was, of course, a vast land speculation. Ebenezer Allen, a relative of the famous Allen family, wrote Ira on March 25, 1795, that the prospect of these lands is "so good that I think it to be superior to any Chance there ever was in the State of Vermont nor do I think there ever was a Gratter specte [speculation] to be made than at this moment." This land was so excellent that he said "it would make your hart for to leep with Joy Ware you to see it."<sup>10</sup>

8. *Vermont Gazette*, June 6, 1794.

9. *Ibid.*, May 16, 1794.

10. *Ira Allen Papers*, 1795-1801.





Meanwhile, in London, Samuel Peters acted as spokesman for the Vermont separatists. He had not as yet secured from the British government what he believed to be sufficient recognition of his hardships and losses as a loyalist. As a result, he was still searching for a position affording "a decent salary."<sup>11</sup> With the revival of the separatist project of the Allens and Chittenden, Peters aspired once more to return to the American states as the Bishop of Vermont and, perhaps, Lower Canada.

In Upper Canada, the group working towards some of these aims was led by Simcoe and his secretary, William Jarvis, who was Samuel Peters' son-in-law. Like Levi, Simcoe had been deeply chagrined and disappointed because the Allens had been shabbily treated by the British in Quebec and London about the time that Vermont joined the union.<sup>12</sup> "The assembly of Vermont," he wrote Sir Henry Clinton, "admit their folly and rashness in joining Congress. We ought to nurse our interest there."<sup>13</sup>

As Simcoe conceived British interests, the survival of the Canadas as British possessions rested in large part on Vermont's friendship. A commercial and political alliance between Britain and Vermont would provide a barrier against future American expansion, as well as a screen behind which the Canadas could exert greater influence in the interior of the continent. "If the affections of Vermont be preserved, & the fashionable democratic principles spread not among the French Canadians," he wrote Dundas on August 16, 1791, "there is no need to dread the Power of the Americans."<sup>14</sup>

Simcoe did not agree with his personal friends in Vermont who desired to be permitted to navigate the entire length of the St. Lawrence. He wrote Dundas, February 23, 1794, that the Vermonters must be prevented from executing their claim to navigate the St. Lawrence as a natural right.<sup>15</sup> Neither was he sympathetic towards the efforts of Vermonters to speculate in Upper Canadian lands. When Joseph Fay, Justus Sherwood, Stephen Arnold, a member of the Governor's Council of Vermont, and others at-

11. New York Historical Society, *Samuel Peters Papers*, XIII, 13.

12. *Report of the Public Archives of Canada for 1889*, 7.

13. Clements Library, *Clinton Papers*, 1790-1792.

14. Cruikshank, E. A., *The Correspondence of John Graves Simcoe* (Toronto, 1923-1931), 5 vols., I, 53.

15. P.A.C., "J. Ross Robertson" *Simcoe Papers*, III, Bk. 9, 689-703.





tempted to secure a grant of not less than 3,500,000 acres, Simcoe politely but firmly rejected their petition.<sup>16</sup> His secretary, William Jarvis, wrote them that "at the present moment it is of much more importance that Upper Canada possess few inhabitants loyal to the King and British constitution, than a multitude of people of hostile or doubtful character."<sup>17</sup> Despite these sources of potential friction between Simcoe and the Vermonters, he cooperated with them for the purpose of furthering his own ends, which were those of the British.

The aims of these Vermonters were summed up by Samuel Peters in a document he entitled, "Proposals From Vermont, March, 1794." Vermont, so he wrote, would become a neutral power, "like a Swiss Canton," if Great Britain would grant Vermonters all the commercial privileges of British subjects, concede free navigation of the St. Lawrence, appoint a Protestant Episcopal Bishop for Vermont and the Canadas and support Vermont's annexation of New York as far west as Niagara. In return for all this, Vermont promised to guarantee Great Britain permanent possession of the western posts, to protect the Canadas from an American invasion and to guarantee that Vermont would not permit the other American states to share its commercial privileges in the British Empire. "These are in general which I have heard spoken of and must be opened with great caution & no record of anything of this business is to be left in the office," he concluded, evidently referring to the disclosure of the Haldimand Negotiations, "lest the Birds of the Air sell the news and another delay should take place."<sup>18</sup>

Because the pro-British group in Vermont expected war, a private agreement was entered into by Chittenden and Jarvis at Williston, Vermont, on January 12, 1794. The Governor, in the presence of Colonel Fay, criticized the excesses of the French Revolution, declared that Vermont was opposed to the United States' joining France in war against Great Britain and asked Jarvis to give his compliments to Simcoe and to "tell him that the Gover-

16. P.A.C., "Wolford" Simcoe Papers, I, Bk. 3, 32.

17. "J. Ross Robertson" Simcoe Papers, I, Bk. 5, 60-61.

18. C.O. 5, VIII, 10-12.





nor and Council of Vermont are of the same opinion that they were in the year 1781 when Colonel Fay was . . . on board a King's small Vessel negotiating a union with Canada." A sea war, said Chittenden, "will lose everything, commerce through Canada ruined, the country raided by Indians." On the fourteenth, Jarvis saw Ira Allen who expressed the same sentiments.<sup>19</sup>

Britain's acceptance of the "Proposals From Vermont" depended wholly upon war as the outcome of the Anglo-American crisis. "The settlement of Vermont," wrote Dundas to Dorchester in July of 1793, "is a matter at Present of great delicacy, and upon which no positive or precise directions can be given. The conduct of Lord D [orchester] will be *very guarded* and *circumspect* and *must be* regulated by Circumstances as they arise."<sup>20</sup> In a letter over a year later, in November, 1794, Portland, the Home Secretary, expressed a different view to Simcoe. He instructed him, on November tenth, not to be committed in the present contest between the Americans and the Indians "for it would endanger final arrangements being made between us and the United States." Referring to Vermont, he declared himself "very well aware that under circumstances of a different nature, many advantages to this *Country* and great disadvantages to the *American States* might be the consequence of attending to the present dispositions of the Vermonters."<sup>21</sup>

The final arrangements referred to were incorporated in the Jay Treaty of November 19, 1794, which removed temporarily the crisis over the rights of Americans as neutrals and permanently the crisis over the western posts.<sup>22</sup> The Federalists were responsible for this treaty. They opposed war against Britain because many of them were business men whose close connections with British merchants and financiers and need for British credit led them to voice the demand that war be avoided. Furthermore, the Federalists regarded Britain as the chief bulwark against the democracy which they believed was running berserk in France.

19. Q, CCLXXX, pt. I, 269.

20. C.O. 42, XXII, 264.

21. Q, CCLXX, pt. I, 275-276.

22. See Bemis, S. F., *Jay's Treaty; A Study in Commerce and Diplomacy* (New York, 1924).





They believed it had already infected the United States through the agency of the Democratic Societies.

These considerations were largely responsible for the desire of the Washington Administration to prevent the war which seemed inevitable after Dorchester's speech to the Indians in February, 1794. In the spring of that year Washington appointed John Jay to go to London to arrange a treaty with the British. In April, four months before Wayne's victory in the Battle of Fallen Timbers, Edmund Randolph, Secretary of State, drafted instructions for Jay. He was told to secure British compensation for injuries to American commerce, to secure evacuation of the posts and to provide for British and American implementation of the provisions of the Treaty of 1783 which had not been honored. Jay was empowered also to discuss the terms of a commercial treaty. On May 12, he left for London, where he arrived on June 8.

The treaty which he secured fulfilled some but not all of the aims of the administration. The British promised to evacuate the western posts by June 1, 1795, and to permit the entrance of American ships of seventy tons or less into the ports of the British West Indies. In return, the United States agreed to facilitate the payment of private debts owed to British subjects by Americans if contracted prior to 1783. Both agreed to establish commissions to arbitrate claims arising from British depredations of American shipping and to settle the disputed points which had arisen in regard to the Canadian-American boundary.

The attention given to these provisions has tended to obscure the significance of the clauses of the treaty dealing with Canadian-American trade. Jay returned from London with substantial concessions for Americans who were trading with the inland British colonies of Lower and Upper Canada. Largely because the Navigation Acts did not apply to inland colonies, the British government acceded to clauses which allowed reciprocal privileges for Canadians and Americans to pass back and forth across the border, and others which permitted the importation of foreign and domestic goods from the United States into the Canadas by land or inland navigation on the payment of duties no higher than those





levied on the same goods if imported into the Canadas by sea.<sup>23</sup>

These clauses aroused hostility among Canadian merchants because they desired their government to place high import duties on goods entering by land or inland navigation and low duties on goods entering by sea. By levying duties in this fashion they hoped to erect a tariff wall against imports from New York and concentrate the trade of the Canadas upon the St. Lawrence. It was the opinion of the Montreal merchant, George Allsopp, that this restriction upon the tariff-making power of the Canadian government, in addition to the British promise to evacuate the posts, would throw the bulk of the fur trade into American hands and that "our principle Montreal houses will connect themselves with people in New York to make it a kind of joint concern between that state and this province." The port of New York, he said, "is the place I prefer to all others in America . . . ."<sup>24</sup>

Allsopp's preference for New York did not arise wholly from the British concessions in the Jay Treaty. The treaty only confirmed the strong grip New York already had on the trade of the Great Lakes basin and the Champlain Valley. New York could compete successfully against Montreal in the trade in articles of low bulk and high value because it had an ice free port, paid lower insurance rates, had abundant credit resources at its disposal in Great Britain (which Simcoe deprecated) and controlled splendid ships and shipping facilities.<sup>25</sup> It was no wonder therefore that one half of the goods passing through the Little Falls canal of the Western Inland Lock Navigation Company in 1797 was bound for Upper Canada and that goods imported via New York appeared on the shelves of Vermont merchants as far north as St. Albans, which was almost on the border.<sup>26</sup> Hamilton was correct in stating that the Jay Treaty would result in a "far greater momentum of influence on Canada, than Canada on the United States."<sup>27</sup>

The reaction of Vermonters to the treaty was, however, wholly

23. Graham, *Sea Power and British North America*, 93.

24. P.A.C., *George Allsopp Letter Book*, Allsopp to John Allsopp, Nov. 28, 1795.

25. Williamson, C., "New York's Impact Upon the Canadian Economy Prior to the Completion of the Erie Canal," *New York History* (XXIV, I, January, 1943), 24-38.

26. *Schuyler (Canal) Papers*, John Porteous to James Cochran, Dec. 20, 1797.

27. Williamson, *op. cit.*, 28.





unfavorable. Having failed in their efforts to secure the building of a Champlain Canal, they hoped that the treaty would grant them the right to navigate the entire length of the St. Lawrence to the open sea. They would not have agreed with Hamilton's statement that settlers in the Northwest would find it easier to reach the sea through the United States than through the Canadas. "The People of Vermont," said Peters, who was well-informed on the views and opinions of Vermonters "are discontented with Mr. Jay's Treaty touching the Inland Navigation of the Rivers and Lakes in America which permits them to go by water to Quebec, or Montreal, and no farther." He charged that Jay did not press the American claim to navigate the St. Lawrence, because he desired Vermonters to trade solely with New York thereby making it the commercial center not only of Vermont but also of the Genesee.<sup>28</sup> Stephen Thorne, a Yorker living in London, agreed heartily with Peters' statements. The treaty, he said, "confirmed the British right of shutting out the people of Vermont from navigating the waters of the St. Lawrence, tho nature has said otherwise."<sup>29</sup>

The failure to secure this concession, which was one of the "Proposals From Vermont," was matched by the failure of Peters to secure his consecration by the Archbishop of Canterbury after his election as Bishop of Vermont. His election had been secured by his friends in Vermont at a convention held at Manchester on February 27, 1794. It was possibly the most bizarre convention ever held by "Episcopalians" in the United States. "Episcopalians of Vermont," an annalist related, "united with a body of those not previously of that communion and elected Peters Bishop."<sup>30</sup> The convention, representing only about one-half of the Vermont parishes, ignored protests that he was a loyalist, elected him Bishop, and appointed John A. Graham to go immediately to London to notify him of his election. Graham left soon afterwards, and upon his arrival he went directly to Peters, who thereupon moved

28. N.Y.S.L., *Ira Allen Papers*, Peters to Messrs. Phyn & Co., Feb. 8, 1796.

29. N.Y.S.L., *Ira Allen Papers*, 1795-1801, Thorne to Robert Woodworth, March 15, 1797.

30. Batchelder, C. D., *Documentary History of the Protestant Episcopal Church in the Diocese of Vermont* (New York, 1876), 25.





heaven and earth to secure his consecration by the Archbishop of Canterbury.

Despite the intervention of the Duke of Buckingham, the Archbishop refused to consecrate Peters. He gave as reason for his refusal that Parliament had authorized him to make only three appointments of Bishops in the United States. Two appointments had already been made and the third was about to be made. Furthermore, he maintained that Peters could not furnish proof that the American Convention of the Episcopal Church had approved his election. Peters later privately declared that the third appointment was going to a friend of the Bishop of Durham who was described as close to William Pitt. Peters' friends hinted that John Jay, no stranger to Vermont's political gyrations, had opposed his consecration, and that the British government had respected his views on the subject. Jay's objection, if made, was perhaps the decisive factor.<sup>31</sup>

Nevertheless, Peters' failure to secure consecration was not the real reason for his refusal to proceed immediately to take up his duties as Bishop of Vermont. "As Moses alone consecrated Aaron High Priest," he wrote, "Chittenden can do the same."<sup>32</sup> The real reason lay in the refusal of the Vermont Assembly to cede the S.P.G. lands to the Bishop of Vermont. In the fall of 1794, the Assembly peremptorily passed two bills confiscating these lands for the use of the state, basing its action on the principles of the American Revolution.<sup>33</sup> These laws were the real cause for Peters' refusal to go to Vermont. "Trouble is," he wrote, "how can I support myself and then if I Have a certainty of not disgracing you and your Church by my poverty, I will go over and bless you and all denominations."<sup>34</sup>

The failure of the separatist proposals of Peters and his faction was soon followed by the failure of the other faction to achieve its aims by the different method of assaulting Lower Canada from within and without. The open avowal of the aim of Vermonters to seize the province in case of an Anglo-American war, the

31. N.Y.H.S., *Peters Papers*, V, 84, 104; VIII, 50.

32. Batchelder, *op. cit.*, 43.

33. *Ibid.*, 46, 52.

34. *Ibid.*, 40-43.





disturbing reports of disaffection among the French Canadians caused, in part, a reversal of William Smith's policies which in their execution had been so favorable to Vermonters. The conditions in Lower Canada before the Jay Treaty was signed greatly increased the government's fear that it was dangerous to permit Americans to settle in great numbers in the province. One American said that he had been informed by a Canadian land official that the reason the government acted with such delay in patenting land was its fear of a war between Britain and the United States. Furthermore, the Canadian melting pot envisaged by Smith did not operate as he thought it would. The Canadian government genuinely feared an internal explosion. Its responsible officials must have pondered the political implications of the charge made by George Cook of Caldwell's Manor that Abel Spencer and Silas Hathaway, holders of a warrant of survey, were members of a Democratic Society.<sup>35</sup>

The suspension of settlement and speculation in the lands of the Eastern Townships was not dictated wholly by the fear of American penetration into Lower Canada. The reversal of Smith's policies arose also from a flagrant violation of His Majesty's instructions that each land petitioner must take an oath and that no individual should be permitted to hold large tracts of land for speculative purposes. Years later, William Osgoode, a government official of Lower Canada, described the causes for the reversal of the method of granting and patenting of land established by William Smith. He said that warrants of survey had been made until June of 1794. At this time Dorchester, now that Smith had died, had become aware of the violations of the royal instructions. It had become evident, he said, to the new Chief Justice and the new council members, that, in both theory and practice, land grants had been made in violation of royal instructions, especially the 35th article forbidding the granting of land without the taking of an oath. Warrants of survey, he continued, had been given out before the appointment of commissioners to administer the oath. Osgoode declared that it was the duty of the council to pre-

35. N. Y. S. L., *Oliver Phelps Papers*, Box XXI. John Smith to Phelps, Oct. 29, 1795. P. A. C., S, Land Committee Minutes, Sept. 23, 1793-Jan. 2, 1797, 65.





vent the townships from "being overwhelmed by a Torrent of Disaffection."<sup>36</sup> The alarm had already been given by Hugh Finlay, but it had been ignored. As early as March, 1792, he had written Samuel Gale that a warrant of survey could not be obtained unless the oath were taken in person. He asked Gale to spread the news that agents who appeared in Quebec to secure warrants of survey for themselves and for others could not legally secure them.<sup>37</sup>

Still another reason for suspending the further settlement of the townships was Smith's violation of the royal instructions limiting the amount of land to be granted to an individual. Hugh Finlay declared that much of the land had fallen into the hands of speculators. "I have much reason to believe," Finlay wrote to Gale on March 5, 1795, "that many of the original applicants for townships who came forward in 1792 with lists of two, three, four and even six hundred associates never did intend to settle an acre of land in Canada." He said that the petitioners were not able to satisfy the Land Commissioners that they were desirable persons to settle in the Province. He told Gale that, after receiving warrants of survey, the original applicants had returned to the American States and sold them by claiming that they were virtually patents for land. "If people will suffer themselves to be duped by land jobbers," he concluded, "they must sit down under the loss they have thereby sustained."<sup>38</sup>

Finlay had correctly described what had happened, in most cases, to these warrants of survey. The frontier of speculation had indeed crossed the boundary into Lower Canada. Levi Allen's efforts to secure land, among many others, demonstrate the truth of Finlay's charges. The Canadian Land Committee reported that, shortly after Levi had secured the warrant of survey for the township of Barford, he had returned to Vermont and endeavoured, as the committee said, to mislead the public by an advertisement which claimed that he owned two Canadian townships, that taxes were not levied, nor was there any selling at vendue "as hath been

36. *Land Series E*, 182-191.

37. C. O. 42, XXII, 338.

38. C. O. 42, XXII, 342-343.





too much the practice in many places," and that his lands would be sold for two shillings an acre. The committee said, further, that such unwarranted statements had a "deluding & mischevious Tendency and he ought to lose the townships if the advertisement was published with his knowledge." Such an example, the Committee believed, "would have a Salutary effect & prevent the good people of the Neighbouring States from being imposed on by Land Jobbers who . . . have made like attempts in other parts of the United States."<sup>39</sup>

Similar accusations were made against John and William Baker and Silas and Alfred Hathaway. Those accused were not all Vermonters. The Reverend John Smith of Dighton, Massachusetts, of whom it was said "that the Parson is not so much esteemed in the country he resides in, seeing he attends to Land-jobbing more than the care of souls,"<sup>40</sup> claimed that he had secured three townships, had four more which would soon be secured and owned ten additional townships in company with a gentleman of great influence and reputation in Lower Canada whom he did not identify. At one time, Smith interested the great Connecticut merchant, Oliver Phelps, in the purchase of these lands. Phelps wrote him on September 15, 1795, that he was interested in Canadian lands and that he wished Smith to inform him upon what terms he could obtain a township.<sup>41</sup>

The Lower Canadian Land Committee set to work to remedy this alarming situation created by American land speculators. On January 7, 1795, the Committee ordered all holders of warrants of survey to appear in Quebec to take the oaths according to Article 35 of the royal instructions, and in other ways to satisfy the Committee that the instructions had been obeyed. The minutes of the Land Committee for the ensuing year record the rejection of the warrants of survey held by Americans who had not, in one way or another, complied with these instructions. The axe fell on Jonathan Fassett, Elijah Baker, Reuben Bostwick, Obadiah Blake, Nathan Stone among others. The Committee, however, did not can-

39. S, Land Committee Minutes, 1793-1797.

40. S. LIII, 63.

41. N. Y. S. L., *Oliver Phelps Papers*, Box VII, 155.





cel the warrants of survey granted to the Canadians, Henry Cull, William McGillivray, Isaac Todd, Simon McTavish and others.<sup>42</sup>

As a prominent loyalist, Levi Allen fared somewhat better than his American friends or loyalists more obscure than himself. He was warned by the Land Committee, on August 14, 1795, to appear in Quebec before November 1 in order to satisfy it that the advertisement already described had been published without his knowledge and consent. The committee refused to accept him as the leader of the Township of Barford; but declared that inasmuch as he had paid in 15 £ and had been admitted to take the Oath of Allegiance, he could obtain 1500 acres in the township. In response to the Committee's order, Levi appeared in Quebec on November 1, where he met with a cool reception.<sup>43</sup>

The wrath of the committee fell heavily on Vermonters, other Yankees and some loyalists. Gale wrote in a bitter vein on June 27, 1795, that the government had not yet agreed on the means to patent the lands granted under warrants of survey. He complained that not a single patent had been issued, nor had the fees and conditions respecting the improvement of the lands been announced, although four years had elapsed since the commencement of land granting. He said that many settlers were extremely uneasy. As for himself, "I am exceedingly sorry I ever came into this Province; for I really never seed Business so carried on, or rather *pretended to be* carried on without any thing actually done to the purpose."<sup>44</sup>

Silas Hathaway poured out his wrath on the actions of the Land Committee. He said that he had returned from a journey through Rhode Island, Massachusetts and New Hampshire, where he found great dissatisfaction and anger over the actions of the Land Committee. It was said first that the lands were offered by a proclamation, secondly, that these lands were petitioned for, thirdly, that warrants of survey were issued, and fourthly, that the Canadian government now endeavoured to recover the lands from those holding the warrants. He maintained that certain in-

42. See Land Committee Minutes, 1793-1797.

43. *Ibid.*, 272.

44. Q, LXXIV, pt. II, 363, 370-381.





fluent men in Lower Canada who wanted to obtain possession of these lands had prompted the government's action and had in the end succeeded in securing for themselves the largest part of them. Hathaway claimed that Rhode Island and Massachusetts people, many of whom had been British sympathizers for many years, were suffering greatly from the actions of the Land Committee. He placed the blame on Lord Dorchester's "inattention to business" and the "avariciousness" of members of his Council. The government's violation of public promises, he said, "excites a spirit of indignation and contempt . . . not to say wrath—even when in other respects a spirit of amity and real affection is everywhere restoring between the two countries."<sup>45</sup>

Although the Democratic Societies expressed a less belligerent attitude after the signing of the Jay Treaty, they publicly complained of Canadian efforts to prevent Americans from obtaining title to provincial lands. The Chittenden County Democratic Society resolved on January 5, 1795, "that every inhabitant of the Province of Lower Canada should be treated by its members with that friendliness, politeness and consideration which foreigners had a right to expect in Vermont," notwithstanding that members of the Society had recently met not only with delay and disappointment, but also with what was described as "insolent imperious haughtiness" on the part of Canadians.<sup>46</sup>

The probable consequences of these expressions of Vermonters' anger against the Government of Lower Canada were described by Samuel Gale in a letter to Hugh Finlay. "Note," said Finlay in referring to this letter, "he prognosticates confusions and troubles similar to the affair of Bennington and Shaftsbury (that is, Rebellion) should the American speculators in Lands in Canada be disappointed in their expectation."<sup>47</sup> Finlay undoubtedly found food for thought in this letter.

45. N. Y. S. L., *Silas Hathaway Papers*, May, 1797.

46. *Vermont Gazette*, Feb. 13, 1795.

47. C. O. 42, XXII, 341.





## CHAPTER FIFTEEN

# The Frustration of the Allens

As late as the autumn of 1795, those Vermonters who held warrants of survey for Lower Canadian lands had failed to secure their validation. Vermonters as a whole had failed to induce the British government to build a canal around the rapids of the Richelieu and to secure the privilege of navigating the entire length of the St. Lawrence. These failures angered members of both factions in Vermont who had sought by different means to accomplish what were actually the same ends. The American state and the British province approached the most serious impasse in their relations since Ethan Allen plotted the capture of Ticonderoga.

At this juncture, Ira Allen emerged from his four years of retirement as the leader of the two factions which were now united in common hostility to the policies of the government of Lower Canada. Ever since Vermont entered the union, Ira had been a silent but observant spectator of events as they unfolded. He had been living on his lands in the Colchester area, determined to be a business man rather than a politician. As a business man, he had experienced grave difficulties from 1791 to 1795. His position as a leading land speculator was vulnerable because it had been achieved by political rather than business methods.

One source of his difficulties was the sale of his lands by the State for unpaid taxes. Tax sales angered a generation of absentee owners of Vermont lands whether living in Vermont or elsewhere. Unlike owners of Vermont lands including Lewis R. Morris, De Witt Clinton of New York and Andrew Craigie of Massachusetts, Ira's total resources consisted almost entirely of land rather than of personal property. He was unable to pay his land taxes and, as a result, the state sold his lands. What lands were not sold for taxes were being threatened by contestants who charged that his titles had been secured illegally.<sup>1</sup>

1. V. H. S., *Ira Allen Papers, Betsey Allen et al. vs. Ira Allen.*





Furthermore, Ira was unable to pay his debts. He had already established an unenviable reputation on this score in Quebec. He was not wholly to blame for his financial embarrassments because he was as much a victim of the depression in the timber market as were Lower Canadian merchants who were forced to default to London merchants after the Revolution. To carry on his business, he had to buy goods from merchants in Lower Canada; but he did not receive enough funds from the sale of his timber to pay for the goods he had purchased. The unhappy outcome was a number of lawsuits which plagued him for the remainder of his life. Prominent among his creditors were the Lower Canadian firms of Fraser & Young and S. & F. Montemollin. The latter had advanced him 200 £ in 1787, and, in default of payment, it had sued him in 1789. As late as 1792, Ira had not made a payment. The firm publicly denounced him in the *Vermont Journal* on November 5, 1792, by saying, "It appears to us a great misfortune to the public that a Man's possessing property should cause officers (as we suppose) to be so much in awe of him, that they dare not collect a just debt; should this become a predominant custom (which God forbid) General Allen may well be rich . . . ."

Pressed by his creditors, Allen appealed to the Vermont Assembly to reimburse him for the monies he claimed to have poured into the common cause against New York and Great Britain. His accounts were subjected to the severest scrutiny by a Grand Committee of the Assembly which reported on October 24, 1792, that "the State was not indebted to General Allen neither in law or equity."<sup>2</sup>

As his financial difficulties accumulated, Ira decided that they could be removed only by inducing the British to build a Richelieu Canal and to concede navigation of the entire length of the St. Lawrence to Vermont. He did not blame his over-expansion, his poor business practices, the economic depression or the hostility of his political opponents for his difficulties. It was much easier to lay the blame for them squarely upon his timber losses in the Richelieu, the necessity of using Canadian middlemen and the employment of British shipping. Under the stress and strain

2. *Records of the Governor and Council of the State of Vermont*, IV, 31.





imposed by his difficulties, Ira's native sense of reality and proportion, which he had once had in good measure, deteriorated to such an extent that Lower Canada appeared to him to be a great barrier between him and his ambition to make Vermont a maritime state.

In addition, Ira was angry at Canadians because their government had supported John Caldwell against him in the dispute over the boundary between Caldwell's Manor and Ira's town of Alburg. Lastly, the government's land policies threatened to entice settlers from his Vermont lands to the lands offered so freely in the nearby Eastern Townships. Ira's jealousy on this score might have been removed if he had been permitted to participate in land speculation in the Canadian province. As *persona non grata* in Lower Canada, it was best for him, if he desired Canadian lands, to secure them indirectly from his brother, Levi. Levi, still living in St. Johns, had effected a reconciliation with Ira by offering to help him secure a foothold on Canadian soil. On June 28, 1793, he wrote that if Ira wished additional lands he could help him to secure 100,000 acres, "which will soon come in course . . . though [I] always hope to retain a grateful sense of all Favours received from *Heaven*, men or other beings."<sup>3</sup>

The collapse, in the summer of 1795, of both the expansionist and the separatist solution of Vermonters' problems and the satisfaction of their ambitions caused Ira to forsake his retirement to assume the leadership of the movements which now appeared bankrupt. He concluded that success for his program and that of other Vermonters—the Richelieu canal, Canadian lands and navigation of the St. Lawrence—lay in negotiations with the British government in London. If they failed, he would then negotiate in Paris with the French government which was at war with the British. He was undoubtedly encouraged to go to Paris because he knew that the French government had for years desired to wrest all of the Canadas from the British and to rebuild the lost French Empire in North America.

Ira's negotiations with the French for joint conquest of the Canadas, if the British would not support his program, will not

3. V. H. S., *Levi to Ira*, June 28, 1793.





appear so fantastic if projected against the background of his activities during the American Revolution. At that time he had achieved some of his objectives by leading a successful rebellion against New York, and others by first fighting, then currying the favor of the British in Quebec. Ira had all along been determined to achieve them regardless of the means employed. The lapse of twenty years had not changed either his objectives or the means he would use to attain them. Ira would not hesitate to foment a revolution in Lower Canada if Britain should fail to satisfy him.

That Ira's intentions towards Lower Canada were potentially hostile may be inferred from the fact that, prior to going abroad, he was provided by Governor Chittenden with credentials which stated "that he is now first Major-General of this State, and is requested to purchase arms and other implements of War, for the use of the militia."<sup>4</sup> To finance his mission abroad, he secured bills of credit from William Hull (later commander at Detroit in the War of 1812 who surrendered to the British without a fight) totaling 4,000 £, for which he pledged most of his lands as security.

By December, 1795, he had completed arrangements to sail for Great Britain and, if unsuccessful, perhaps France. A letter he wrote Levi just before sailing shows his frame of mind. It contained the parting shot that the Canadian government was "not fond of having Americans Amongst them Least a revolution be put on foot by them . . . ."<sup>5</sup> Soon afterwards he sailed for England in the company of John A. Graham who had recently returned from his mission to London where he had notified Peters of his election as Bishop of Vermont. The pair arrived at Falmouth on January 2, 1796, and at London six days later. Almost immediately Ira saw Samuel Peters who was still nursing the greatest resentment against the British for their failure to consecrate him.

On the twenty-seventh of January, Ira interviewed the Duke of Portland, Home Secretary, who in his long and active political career had twice served as British Prime Minister. He wanted to discover whether or not the British government would build a Richelieu canal. Such a canal, he realized, would reduce the

4. Wilbur, *Ira Allen, Founder of Vermont*, II, 77.

5. *Ibid.*, II, 80-81. The original is in the *Levi Allen Papers*, N. Y. S. L.





Richelieu-St. Lawrence route to the status of a water corridor between inland Vermont and the north Atlantic. As Ira wrote in his diary, he presented the advantages which would accrue to Lower Canada and Vermont from such a project. Portland objected, however, to his government's building the canal. He said that he thought it would be best that private individuals do so because they would be interested in seeing it well built, and kept in excellent repair. Ira offered to find individuals who would be interested in this project if the British would permit them to levy tolls or allow Vermont-built ships to pass Quebec to the open sea upon payment of moderate tolls. Portland showed no interest in Allen's proposal, chiefly because he already knew of the hostile designs of Vermonters upon Lower Canada and, besides, he did not wish to make the province more vulnerable to an American invasion by permitting a canal to be built. Nevertheless, he told Ira that despite the fact that he and his government were working overtime to clear the decks of official business, Ira might present his proposals in the form of a memorandum which he could study at his leisure.<sup>6</sup>

Despite this cool and non-committal reception, Ira returned to Portland's offices on February 8 for a second interview. In Portland's absence, he interviewed Under-Secretary King, who revealed the true reason for British indifference to Ira's proposals. In opening the conversation, King remarked that Ira should have first discussed the canal project with the government of Lower Canada. Ira replied that in Lower Canada he had been told to discuss the project in Great Britain. When King asked him, as Ira wrote in his diary, "if navigation of the St. Lawrence would not infringe Navigation Laws and the [Jay] Treaty with the United States," Ira did not reply. Instead, he asked that the British government permit ships of Vermont registry to go from Lake Champlain to the Atlantic upon paying a reasonable fee. What advantage would Great Britain derive, asked King, from permitting Vermonters "navigation to the open sea?" Allen answered that Britain would acquire a staunch ally in Vermont and in time of war could continue to trade with British North America.

6. The Allen Diary is in the Library of the University of Vermont.





with the ships of a neutral Vermont. King closed the inconclusive interview by asking Ira if these commercial concessions would not "seduce the people of Canada to Revolt from Great Britain." Allen replied that the connections already existing between Vermont and Lower Canada were extremely close because only a "boundary line parted them."<sup>7</sup>

In conformity with Portland's suggestion, Ira submitted his proposals in a memorandum. Once more he pointed out that Vermont's commerce with the outside world must be carried on through British merchants and that these merchants could benefit greatly in time of war by employing Vermont ships. In closing, he again denied emphatically that closer commercial relations between Lower Canada and Vermont would result, as had been suggested by King, in the propagation of anti-British and radical political ideas in the Canadas. On the contrary, he said, closer connections "will help frustrate it."<sup>8</sup>

The objections made to the virtual alliance proffered by Ira on his own initiative and responsibility arose from the application to Lower Canada of the Navigation Acts, which forbade American ships to navigate the St. Lawrence below Quebec. If the political conditions at that time had been favorable, the British government might have welcomed Ira's proposals. The Jay Treaty, however, had removed the threat of an Anglo-American war and made it inexpedient for Great Britain to agree to an alliance with Vermont. Paradoxically, the closer and more amicable the relations between Great Britain and the United States, the more strained became the relations between Lower Canada and Vermont. The removal of the threat of war between the two countries destroyed the chief means by which Vermonters had hitherto endeavoured to secure concessions from Great Britain.

The failure of Portland to agree to Ira's proposals made him decide to go to Paris. He hoped that France, still in the throes of an unfinished revolution and at war against Great Britain, might be induced to support him in an attempt to conquer the Canadas. Ira knew, of course, that during the revolutionary war Benjamin

7. *Ibid.*

8. Q, CLXXVII, 247.





Franklin had influenced the French government to make an alliance with the Continental Congress in order to overthrow British power in North America; and so he reasoned that now he might be able to persuade the French Directory to make an alliance with Vermont whose object would be to strike against the Canadas and to conquer the other British possessions on the continent. After endeavouring to sell copies of Samuel Williams' *History of Vermont* and pursuing other minor activities to interest Londoners in his state, Allen slipped quietly, if not secretly, out of London on May 20, 1796, bound for France.<sup>9</sup>

If one is to believe Ira's biographer, the accusations that he entered into an agreement with the Directory by which he secured 20,000 stand of arms to be used in a Vermonter-French assault on the Canadas, were made out of whole cloth and were maliciously circulated by his enemies in Vermont, Lower Canada and Britain. Yet, just as the Haldimand Papers prove that the Allens contemplated more than neutrality, so the French secret service archives demonstrate beyond the shadow of a doubt that Ira entered into an agreement with the Directory whose purpose was to restore French rule in the Canadas, and which implied that the French would permit Vermonters to achieve their aims in Lower Canada. The *Vermont Journal* of Windsor drew the first comparison between the British and French negotiations of Ira Allen. "Has not the private cabinet of Vermont," the newspaper said on June 7, 1797, "sent the same negotiator to Paris, under the pretext of purchasing arms for the militia, as was sent to treat with British agents in Canada, in the year 1780, under pretext of making exchange of prisoners?"

The negotiator mentioned by the *Vermont Journal* entered into a secret agreement with the Directory on July 11, 1796, for an assault on the Canadas. According to this agreement, a French army was to land at Halifax in the following August, while Allen and his newly and heavily armed militia men were to seize St. Johns. The armies would then converge upon that goal of all armies invading the Canadas—the citadel at Quebec. To insure Vermont's effective participation, the Directory furnished Ira with

9. Wilbur, *op. cit.*, II, 88.





20,000 muskets and 24 pieces of artillery. These muskets if sold to Vermonters would yield Ira a handsome profit of about \$50,000. The Directory further aided him by a loan of 200,000 livres.<sup>10</sup>

Despite the assurances of French support, Ira appears to have been beset with doubts as to the expediency of executing the invasion of the Canadas. Basically he had no stomach for war and even disliked hunting. He preferred to achieve his aims by negotiation. This preference undoubtedly accounts for his return to London where on August 19 he called at Portland's office because he hoped to receive a conclusive answer to his written proposals of March nineteenth. Unable to see Portland, Ira was forced to be content again with interviewing King. Much to his chagrin, King claimed that he had never received the memorandum. Angered by this statement, Ira replied, as he wrote in his diary, "I expected some information on that subject after coming 3000 miles and waiting so long." King sought to soothe him by replying that at all events nothing could be done concerning the canal until the end of the year. He declared emphatically that, if the government granted permission to build a canal, it would have to be built by British subjects, because "the People of the United States could have no share in it, besides he did not suppose I was a man of sufficient Property or any way Equal to undertake so great [a] Business." King's statement so angered Ira that he said, "I should have been much obliged to his Grace to have told me that at my first Interview and not kept me a Dancing attendance 5 or 6 months for such an answer, and immediately withdrew."<sup>11</sup>

This interview convinced Ira beyond a doubt that Lower Canada, so long as it was British, was the major obstacle to his three-fold ambition. He now prepared to fulfill whole heartedly his agreement with the French government. On September 27, he left London, bound for Ostend to board the American ship, *Olive Branch*, which he had obtained to carry him and his arms across the Atlantic. On November 20, the conspiracy miscarried when the alert British government dispatched a ship to intercept the *Olive Branch*, and to take her as prize to a British port. Immedi-

10. *Ibid.*, II, 191-199.

11. University of Vermont, *Ira Allen Diary*.





ately thereafter, the British government charged that the arms were the property of the French government and hence contraband according to the British interpretation of international law and, further, that they were to be used in the conquest of the Canadas.<sup>12</sup>

The evidence accumulated against Ira in Great Britain was fully corroborated by reports from Lower Canada during the three years from 1796 to 1799. These reports referred, in a convincing fashion, to the intrigues of French Canadians and disgruntled Vermonters, aided and abetted by the French ministers to the United States.<sup>13</sup> On October 24, 1796, Governor Prescott, Dorchester's successor, reported to Portland that the unrest of French Canadians was due to the Road Bill of 1796 which required them to work on provincial roads and that Adet and his emissaries were using this as an issue to stir up resentment, hostility and sedition. This unrest, he said, had been increased by the "favorable disposition of the lower classes towards the French Cause."<sup>14</sup> The stirrings he sensed within the province were linked to Vermonters. On December 19, he wrote Portland that "the enthusiasm is greater than heretofor thought in Vermont for conquest."<sup>15</sup>

Within a short time, the government's reports were fully corroborated, thanks to the revelations of John A. Graham who had turned traitor to Ira, Silas Hathaway of St. Albans and Elmer Cushing, an inhabitant of the Eastern Townships. The information which they gave enabled the Canadian government to point an accusing finger at many prominent Vermonters. As a result of these suspicions and revelations, undesirable Americans and others fled from or were requested to leave the province. In June, 1797, the government advised Levi Allen, the most prominent of them, to quit Lower Canada. John A. Graham implicated the following persons living outside the province: Isaac Clark, Jonathan Spafford (one of whose sons was named Guy Carleton), Ira Allen, Stephen Thorne, William Hull, Timothy Hinman, Jedidiah

12. Wilbur, *op. cit.*, Chapter XV.

13. For these activities, see *Report of the Public Archives of Canada for 1891*.

14. Q, LXXVIII, 7.

15. *Ibid.*, LXXVIII, 159.





Clark and Silas Hathaway, among others. He branded these men as "disaffected towards the Federal Government," and having "little to lose and their only hope is in the Idea of Plunder."<sup>16</sup> Silas Hathaway was ready with a plausible explanation for his association with the conspirators when he was implicated. He explained in a lengthy letter to Prescott that his seemingly suspicious activities were designed solely to gain the confidence of the conspirators in order to expose them to the Canadian government. The British Minister to the United States, Robert Liston, later said that "his apology appears to have satisfied General Prescott."<sup>17</sup>

While Hathaway lied successfully to escape implication in the plot, one conspirator, David McLane, who had been arrested in Lower Canada, was executed as a terrible warning to Vermonters and French Canadians. He was hanged, drawn and quartered and burned in the public square in Montreal on July 21, 1797. McLane's career illustrates the kind of person attracted by the conspiracy. Born in Attleboro, Massachusetts, he had been the proprietor of a Coffee House in Providence, Rhode Island, and a Major of the Independent Light Dragoons of that city. At the time of his participation in the plot, he was described as "a ruined man, and ready for any enterprise offering a prospect of wealth and honor."<sup>18</sup> From David McLane, the trail led straight to Ira Allen. Joseph Pennoyer of the Eastern Townships, wrote a fellow-Canadian after the death of McLane that "there are more concerned in this horrid business than was supposed," and that "the arms bought by Allen were for McLane's expedition, this is confirmed by a letter found among McLane's papers, stating that the Directory had shipped these arms for Lower Canada to arm the Canadians."<sup>19</sup>

Although the British were acquainted with some of the details of the plot, they did not know that Peters, Ira Allen and their allies had so well matured their plans that they had drafted the terms of the territorial settlement in North America and the peace

16. P.A.C., *Military Papers (C Series)*, DCLXXIII, 92.

17. N.Y.P.L., *British State Papers*, Liston to Grenville, Aug. 12, 1798.

18. Shea, John, "David McLane," *New England Historical and Biographical Register*, (1862), XVI, 321-323.

19. Q, LXXXIX, pt. I, 213-217.





terms to be imposed upon Great Britain. Peters boiled with indignation because the British had failed to consecrate him Bishop of Vermont and because the commercial needs of Vermonters had been ignored by Jay and the British when they wrote the Jay Treaty. He complained to Chittenden on June 24, 1795, of the omissions in Williams' History. Describing it as "ingenious," Peters declared that he found the volumes disappointing chiefly because they failed to comment upon the necessity of a canal around the Richelieu rapids. The responsibility for the failure of the British to build it was placed on Lord Dorchester who, he charged, would "do nothing to displace Brook Watson Esq." and other merchants trading with Lower Canada. Furthermore, he claimed that the British government was opposed to closer connections between the French Canadians and the Americans because it desired to keep the former "ignorant peasants & feudalist[s]." <sup>20</sup>

These were substantially the reasons which impelled Peters to shift quickly from friendship to hostility towards Great Britain. The peace terms he advocated were designed to wreck the British Empire. As for Lower Canada, he sought to bring Canadian institutions more abreast of the republican institutions of Vermont and France. He proposed to establish a republic in the Canadas regulated by "wholesome laws, the consequence of which will then be what Britain fears, the junction of Canada with Vermont." <sup>21</sup> To achieve this juncture, Peters believed that it would be necessary to destroy feudalism; to admit all men and women over twenty-one to the suffrage, if landowners; to convert French Canadians to Protestantism and to give the Jesuit lands to the Protestant Episcopal Church over which he would preside triumphantly and magnificently as Bishop. <sup>22</sup>

If he had been able to dictate terms of peace in Europe, Great Britain would have been compelled to repair the damage it had wreaked upon the French naval base at Toulon, to restore Gibraltar to Spain, to restore the overseas possessions of France, Spain and Holland and, lastly, to concede Ireland's independence. To

20. N.Y.H.S., *Samuel Peters Papers*, VI, 87.

21. *Ibid.*, VI, 87.

22. *Ibid.*, VIII, 51.





complete Britain's humiliation, he intended that Labrador, Newfoundland, Nova Scotia, Cape Breton, New Brunswick, St. John Island (Prince Edward Island), Lower and Upper Canada would become "sovereign & independent States" which would later join in a federal union to be agreed upon by a constitutional convention.<sup>23</sup>

At this convention, Peters trusted that it would be possible to invoke the federal principle to reconcile the conflicting interests in the new state as successfully as it had been employed in Philadelphia to harmonize the conflicting interests of the American States. Peters proposed to reconcile the Canadian interests in fur, land speculation, timber and shipping with comparable interests in Vermont. The new government was to have power to tax, regulate commerce and to conduct foreign affairs in an area which was to be almost as great as that of the United States, because it was to extend from Lake Champlain to Hudson Bay and from Lake Superior to Newfoundland.

This federal state would promote the interests of the Allens in a way that neither the Federal Constitution of 1787 nor the government of the British Empire could ever do. It was the last of several projects which the restless and ambitious Allens had considered in order to secure the fullest possible scope for their many activities. First, they had waged a democratic crusade against New York and Great Britain during the first years of the American Revolution. Secondly, they had attempted to revive the former colonial relationship with Great Britain between 1781-1784. Thirdly, they had sought a political and commercial alliance with Great Britain on a basis of sovereign equality between 1788-1791. Lastly, they schemed to erect a new federal government in North America which would exert sovereign sway over an American state and a part of the area lying within the present Dominion of Canada. Possibly, the Allens and Peters groped towards erecting a greater North American state to include within its boundaries all the United States as well as the British North American possessions. If they did, they proposed to reconcile interests and loyalties which the British had endeavoured to reconcile between 1760

23. N.Y.S.L., *Ira Allen Papers*, 1795-1801, Peters to Ira, April 16, 1797.





and 1776, and which later generations of Americans have abandoned altogether as unfeasible.

The capital of this new and mighty federal republic was to be Burlington, Vermont. "Burlington," Peters exclaimed, "will rise and Washington will fall."<sup>24</sup> He did not allow his enthusiasm as an imperial architect to obscure the commercial benefits of this new rival to the more southerly situated United States. He envisaged Burlington as a great commercial center, its streets crowded with merchants, its warehouses filled with goods drawn from the four corners of the earth and its harbor providing anchorage and wharfage for large sea-going vessels. He compared Burlington's position, if the canal were built, to that of Constantinople. The lake port would then command the "straits" leading from inland Vermont to the open sea.<sup>25</sup>

Peters was not content with the idea of Burlington as merely a commercial and political center. He dreamed of it as a focus of intellectual, scientific and cultural activities inspired by the spirit of the French enlightenment. He resolved that the University of Vermont, which Ira had founded at Burlington in 1791, would be attended by an international student body and staffed with a cosmopolitan and brilliant faculty. Implying a low opinion of North American savants, he wrote a friend that he hoped to secure immigrants from France, Holland and Germany, "amongst whom are Farmers, Mechanicks, Engineers, Chemists, Philosophers, & Scientific characters." Their establishment in Burlington, he exclaimed, would make the city "the seat of the muses in the new world."<sup>26</sup>

Ira described in some detail the university's curriculum. In typical promoter fashion, he hoped that the university would attract settlers and favorable attention to Vermont; but this was not the only motive for his interest in higher education. His great emphasis upon the significance of natural forces in the affairs of men, his impatience with the merely conventional, his swift rise from obscurity, his sense of mastery and feeling for human prog-

24. *Ibid.*, Peters to Ira Allen, Aug. 24, 1797.

25. *Ibid.*

26. *Ira Allen Papers*, 1795-1801, Peters to l'Abbé Vaire, Sept. 14, 1796.





ress were congenial with some of the basic concepts of the French enlightenment. His travels in Europe had helped to corroborate his ideas and systematize his thought. As a result, the university absorbed more and more of his attention and the details of his plans took an exciting direction. He said the university was to be free from the "religious superstitions" of the clergy and would pay more attention to the study of French and other modern languages than to Hebrew and Greek. He proposed also to open an academy for the education of women because he thought that "the Girls were too much neglected."<sup>27</sup> It can only be imagined what the impact of this plan of higher education would have had upon New England and French Canada.

The seizure of the *Olive Branch* brought Peters and Ira Allen face to face with the harsh realities of their unpleasant situation. Henceforth, they were concerned primarily with extricating themselves from the consequences of their acts. Ira stoutly protested his innocence. He wrote his father-in-law, Roger Enos, that he had as much right as anyone to ship muskets and that the British would find nothing to implicate him in the McLane affair.<sup>28</sup> He vowed to Rufus King, American Minister to Britain, that his sole intention had been to purchase arms for the Vermont militia. Consequently, he said, "the Intention of purchasing Arms did not originate in an Intreague with the French government after my arrival in Paris nor did it arise from an Impolitic Refusal of this Governments granting the Privilidge of a carnal to the People of sd. Vermont from Lake Champlain to the River St. Lawrence." As if to prove his innocence beyond the shadow of a doubt he added that the arms had been purchased on July 11 and that his canal proposals had not been rejected until August 11.<sup>29</sup>

His deception extended even to John Graves Simcoe, who was at this time in England. Allen appealed to him in the late summer of 1797 for aid in securing the release of the *Olive Branch* and its cargo. Simcoe replied in a kindly and solicitous manner, drawing a distinction between the turmoil in Lower Canada inspired by

27. *Ira Allen Papers*, 1789-1802, to Fulwar Skipwith, Feb. 20, 1799.

28. V.H.S., *Ira Allen Papers*, Feb. 12, 1797.

29. *Ibid.*, Dec. 17, 1796.





French emissaries and the *Olive Branch* affair involving Ira Allen. He said that he had the fullest confidence in Ira's "foresight and probity," and that he refused to believe the grave charges made against him.<sup>30</sup> Encouraged by Simcoe's gullibility, Allen proposed to the British government that it grant him the modest number of six townships in the Canadas to make up for his losses, he agreeing in return to prevent the settlement of any person to which the British might object. If they were granted, he promised to go to Lower Canada and Vermont "& devise measures to preserve *Peace, order, Tranquillity*."<sup>31</sup>

In the United States, Timothy Pickering, the Secretary of State, could not decide what attitude to take towards Ira and his activities in Europe. Because France and the United States were on the verge of war as the result of a new crisis between the two countries, he could scarcely believe that Allen, as an American citizen, would take part in a conspiracy so contrary to American interests which at this time were closely identified with Britain, France's enemy. The crisis arose because France interpreted the Jay Treaty as a violation of the French Alliance of 1778. In retaliation, French men of war and privateers pounced upon American ships in a manner reminiscent of British depredations just prior to the Jay Treaty.

Pickering was strengthened in his belief that Ira was innocent by a letter from Isaac Tichenor, the new Governor of Vermont, who had been swept into office in October, 1798, by the unfavorable reaction to the disclosure of the collapse of Ira's French negotiations. This election retired Chittenden from office. His death soon afterwards prevented him from making a political recovery like that he had made after the Woodbridge Charter scandal of 1789. Chittenden's successor championed Ira for a reason which he gave in his letter to Pickering. He wrote the Secretary of State that he had no doubt of Ira's innocence and that he was anxious for many reasons that Allen should succeed in regaining his arms. "No one incident," he declared, "could have happened, so effectually to wound the feeling of so numerous a class of citi-

30. P.A.C., "Wolford" *Simcoe Papers*, I, Bk. 8, 398-399.

31. Q, LXXIX, pt. 2, 497-499.





zens and embittered them to revive a prejudice against the British Nation."<sup>32</sup>

A former resident of Vermont, who did not have a political motive for wishing the release of Allen's arms, refused when asked by Philip Schuyler to intercede with Pickering. John Williams, now living in Salem, Massachusetts, wrote Schuyler that he had not had any dealings with Ira since 1783 when he had sold him \$200 worth of flour for which he had never paid. "I know the man," he concluded, "and love the peace of my country too well, to have anything to do with him."<sup>33</sup>

Fortunately for Ira, Pickering accepted Tichenor's opinion and advice upon the *Olive Branch* affair and instructed Rufus King, American Minister to Great Britain, to inform the British Government that it was the wish of the United States that Allen be released. Probably the intervention of Pickering was responsible for Allen's regaining his freedom in the spring of 1798.

Shortly thereafter, he sought to fabricate evidence to support his contention that the arms were his property and not that of the French state. To secure it, he crossed once more to France in May of 1798 to persuade the Directory to aid him in rescuing the arms from the clutches of the British prize courts. On his arrival in Paris, he wrote immediately to Talleyrand asking him for a document with which he could convince the British Government that he had purchased the arms from the Directory and that therefore they were his property and not that of the French Government. On the thirtieth, the Directory complied with his wishes by ordering the Minister of Finance to give him a bill of sale which was, of course, fictitious.<sup>34</sup>

Yet the next day Ira was arrested and thrown into prison. This sudden turn in his fortunes was a great shock because he assumed that it was as safe for him to pass from London to Paris during these negotiations as it had been to pass from Ile aux Noix to the Continental Congress in Philadelphia during the Haldimand Negotiations. The Directory, however, did not treat him as leniently as

32. N.Y.S.L., *Tichenor Papers*, April 21, 1797.

33. N.Y.P.L., *Schuyler Papers*, XLII, Sept. 21, 1797.

34. Wilbur, *op. cit.*, II, 197, *passim*.





had Haldimand and the Continental Congress. Its reasons for dealing so summarily with him arose largely from the fact that the Directory was greatly angered and puzzled by his return to London and the resumption of his British negotiations after it had furnished him with arms and money.

Ira languished in prison from September 1, 1798, to September 12, 1799, with the exception of the short period from December 9 to December 30, 1798. He bent every effort to secure his release. He claimed with a degree of plausibility that he had always been a firm supporter of the French Revolution and its ideas, that his resolution to fulfill his agreement with the Directory had never faltered and that his freedom was indispensable for its success. Two Americans at that time in Paris were importuned in the same way. One was Thomas Paine, author of *Common Sense*; the other, Joel Barlow, the poet of the American Revolution who had become an agent for the notorious Scioto Land Company. Ira wrote the former that he could be assured "there are documents of mine in the Possession of the Minister of Police that Shews it to be my opinion that Revolutions will be further extended to the Advantage of France."<sup>35</sup> He attempted to ingratiate himself likewise with the Directory by advising it on French relations with Russia. He made a proposal which was designed to effect an alliance between the two countries. His experiences in Vermont rather than in Europe suggested the means to achieve it. From "much experience in Revolutionary matters," Ira said he found it "generally best to take the most secure measures," and, therefore, he advised the Directory to build a canal from the Red Sea to the Mediterranean and one from the Volga to the Black Sea to detach Russia from the Grand Coalition against France.<sup>36</sup>

After Ira's release from prison he arrived in Vermont in 1801, thoroughly discredited among Vermonters who abhorred him and all his works or who firmly believed that nothing so succeeds like success. The bulk of his lands had been signed away or attached for debt, and he did not find any purchasers for the arms which the British government had by now released.

35. N.Y.S.L., *Ira Allen Papers*, 1795-1801, Oct. 9, 1798.

36. *Ira Allen Papers*, 1789-1802, Jan. 19, 1799.





In the same year in which Ira returned ignominiously to Vermont, Levi died in the debtor's gaol in Burlington. Under the impact of successive disappointments, his mind had given way.<sup>37</sup> His friend, William C. Harrington of Burlington, reported that he had always been "exantrick" in some things, but that his mind did not fail until three or four months before his death. Harrington related that only a few days before his last illness, Levi had asked him if some way could not be devised so that he could go to Quebec to secure the lands for which he had petitioned. When Harrington told him that he could not leave, "he appeared extremely chagrined & grieved, which was the last time I saw him previous to his decease."<sup>38</sup>

The other eccentric, Samuel Peters, remained in London until he was struck from the pension roles in either 1803 or 1804. He then went to Vermont, immediately becoming embroiled in a most dubious claim to a tract of land in the vicinity of the Falls of St. Anthony on the upper Mississippi River. Failing to secure these lands, Peters settled in New York, gaining there a reputation for his eccentricities, now more obvious than ever.<sup>39</sup>

As for Ira, he too left Vermont under a cloud. He was sued in 1801-1802 by heirs of his brothers for the recovery of the Onion River Company lands which he was accused of having appropriated by "underhand" methods.<sup>40</sup> These and other serious accusations forced Ira to leave the state. He finally settled as an exile from Vermont in Philadelphia where he died in 1814. In his latter years, he attempted to make his political recovery by intriguing with a Spanish adventurer to secure the independence of Mexico. To the end he was financially embarrassed. The last known letter which Peters wrote to Ira speaks of his debts in a reproachful and unfeeling manner. "If you sleep well," Peters wrote, "your . . . creditors do not."<sup>41</sup>

37. S, XLIX, 79.

38. *Ibid.*, XLIX, 81. Levi's nephew, a true Allen, turned northward to become a clerk in Montreal; V.H.S., Daniel Read to G. F. Houghton, Feb. 12, 1862. Ethan Allen's adopted daughter, Frances Allen, entered a Montreal nunnery where she "made no secret of her unbelief." Sister Helen Morrissey, *Ethan Allen's Daughter* (Quebec, 1940).

39. Sprague, A. D., *Annals of the American Pulpit* (New York, 1859-1865), 8 vols., V, 192-194.

40. Vermont, Office of the Secretary of State, *Surveyor-General Papers*, XV, 325-331.

41. N.Y.S.L., *Ira Allen Papers*, 1799-1802, Sept. 10, 1802.





The inglorious end of the Allens demonstrates that they had sadly overreached themselves. In retrospect, it would have been best if they had acted upon the opinion which Ira expressed to Levi before leaving on his disastrous mission abroad. He had written his brother that he believed the family had been overly ambitious and had already sufficient landed property. Emboldened to the point of recklessness by their revolutionary triumphs over New York, they had trusted, however, to achieve with the aid of France a similar triumph in pursuing their commercial and landed ambitions in Lower Canada. Unfortunately, Lower Canada did not prove to be so easily vanquished as New York. By 1798, the Allens were totally frustrated.

It is a commentary upon the means which they used that their immediate descendants did not take pride in the career of their ancestors. Nevertheless, after their own unscrupulous fashion, they wrestled with problems imposed by geography which placed Vermont between the spheres of Canadian and American influence in North America. Ira was convinced that the quandary in which Vermonters found themselves as a result of their geographic situation could be resolved in one way only. While in prison in Paris, he wrote:

the offer of British Gold in 1781, 1782, etc. . . . haith not altered or changed principles adopted in early life and practiced in more riper years nor will French prisons alter my determination unless the want of health may prevent Activity. . . . Should the Waters of Lake Champlain change their course and empty into Hudson's River & Haith of land rise between the north end of sd. Lake and the River St. Lawrence, then will my interest be altered & not before.<sup>42</sup>

42. N.Y.S.L., *Ira Allen Papers*, 1795-1801, Oct. 30, 1798.





## The Good Neighbors

With the exception of rumors that Vermonters contemplated, once more, a descent on Lower Canada, the years between the frustration of the Allens and the passage of the Embargo Act of 1807 may be characterized as the era of the good neighbors. Despite the boundary, geography dictated an exchange of goods and an intermingling of Canadians and Vermonters. Neither of them challenged these propositions. The question, still unanswered at this time, was: what kind of relations were to exist after the turmoil and strife of the nineties? Instead of pursuing a policy of conquest, the Vermonters now decided to play the role of the good neighbor.

This new era rested on Vermont's acceptance of British control of the Canadas and pursuit of economic opportunity within the framework of the Commercial Empire of the St. Lawrence. As a result, a distinct improvement in the relations between the two peoples took place and, what is more, an increase in the number and kind of contacts between them. During this period, the boundary all but disappeared from the consciousness of Vermonters and Canadians. The relations between them became so close that they should be excused for forgetting, on occasion, that the first British Empire had been destroyed by the American Revolution. The sense of American nationality was so weak and the commercial connections with Canadians so numerous that the Vermonters' feeling at this time towards the Canadas was almost as it had been before the American Revolution.

Before the Revolution the foundations of the potash and lumber trade had been laid, roads to connect Vermont and the Canadian province had been constructed, the first vessels had plied Lake Champlain, saw and grist mills had been built and St. Johns, Montreal and Quebec had become the commercial centers for large numbers of Vermonters. During the depression following





the Revolution, these activities had not increased relatively as much as the population of Vermont. When this depression ended, they were accelerated. The generation which succeeded the Allens reaped benefits which, in part, were due to their work.

The cause of the revival of the lumber trade lay in the necessity for Great Britain to turn to North America for ship timber, which could no longer be obtained with safety from the historic Baltic source of supply because of the Napoleonic Wars.<sup>1</sup> To encourage the rapid growth of this trade, the British government placed duties on timber imports, called differential duties, which were lower on Canadian timber than on Baltic.

As a result, the Canadian provinces leaped into prominence as a source of supply after the renewal of War in Europe in 1802. From the Maritime Provinces and from Lower Canada enormous quantities of ship timber flowed across the North Atlantic to Britain. Much of this timber exported from Lower Canada came from Vermont and New York, where lay the most accessible and finest supply of white pine and white oak. The existence of this supply had long been known to Canadians. As early as 1792, Jonathan Coffin, Surveyor of Woods, wrote Lieutenant-Governor Clarke that the only trees fit for the use of the British Navy were to be found in the bays of the Gulf of St. Lawrence and that Canadian oaks were "so few and contemptible as scarcely to observe attention." Fine stands of timber were available for cutting in Upper Canada; but Coffin's major interest was in Champlain Valley timber. He said that timber in the Valley and on the south bank of the St. Lawrence afforded masts which were big enough for the largest ships built in Britain and that they could be marketed only in the Province of Lower Canada and might therefore be bought at a reasonable price for the British Navy.<sup>2</sup>

Ordinances of the Canadian Government and statutes of the British Parliament which established the Commercial Empire of the St. Lawrence made possible the free entrance of this timber

1. Creighton, *The Commercial Empire of the St. Lawrence*, 148-149. There is a wealth of detail in Lower, A.R.M., *Lumbering in Eastern Canada* (Harvard Ph.D. Thesis, Cambridge, 1928), 2 vols. See I, 171-174, 181. More easily available but less detailed, is Lower, A.R.M., *The North American Assault on the Canadian Forest* (New Haven, 1938).

2. P.A.C., E, Land C, Lower-Canada, 43-44.





into Lower Canada. To take advantage of these opportunities, British timber contractors in Liverpool and elsewhere in the British Isles migrated to Lower Canada where they established themselves in Quebec.<sup>3</sup> Their presence soon made itself felt by the increase in the amount of timber clearing inbound at St. Johns and a corresponding increase in the amount of timber exported from the province to Great Britain. As a result, the Champlain Valley hummed with an activity never experienced but long anticipated by the Allens.

The bulk of this timber was cut in winter by Americans and French Canadians who needed cash to supplement the income from subsistence farming. After the timber reached the lake, it was made into rafts which were floated to St. Johns from as far south as Whitehall. The trip down the lake was extremely tedious, taking on the average some weeks. At St. Johns, the rafts were halted near the Customs House, where they were boarded by an inspector who kept a sharp look out for articles which raftsmen endeavoured to smuggle into the province.<sup>4</sup> The inspector was, however, often outwitted by the simple expedient of unloading goods before arriving at St. Johns and secreting them in the woods until the rafts had been cleared at the Customs House after which the goods would be hoisted aboard again.<sup>5</sup> Just before the rafts reached the Richelieu rapids, they were broken up into sections, run over the rapids and re-assembled at Sorel. From Sorel, the rafts floated to the mouth of the Richelieu and from there down the St. Lawrence to Quebec. The shallow, easily ruffled waters of Lake St. Peter were known as the graveyard of these timber rafts. If Lake St. Peter were safely negotiated, the rafts proceeded slowly to Quebec, where they were likely to be berthed in the quiet waters of Wolfe's Cove.<sup>6</sup>

At the height of this trade, the timber was often transported to Great Britain on old East India merchantmen, long since past their prime. These vessels were sometimes so overloaded that great chains were passed under the keels to keep them from

3. Q, LXXXIX, 227.

4. S, L, 63.

5. *Ibid.*, LV, 74.

6. Defebaugh, *History of the Lumber Industry of America*, II, 317-318.





breaking apart in the stormy seas of the north Atlantic. The trade was hazardous, filled with disasters and disappointments, even on the stretch between St. Johns and Quebec. The vexations of one valley timber merchant, Andrew Bostwick, were characteristic of this trade. He left Missisquoi River on or about June 2, 1810, with a large timber raft. He found water so low in the Richelieu rapids that the labor of fifty men was required to get the sections of his raft over them. Further delays prevented the arrival of the raft at Quebec until August 9th. There a large section of it unavoidably floated past the city, "which was attended by great trouble and loss of timber." The result was an unprofitable business venture for Bostwick. "When the bills of expenses were brought forward, to be cancelled with losses of timber, there was found," he said, "an immense loss."<sup>7</sup> Many rafts, of course, did not meet the difficulties which his experienced. The profits, however, remained fairly high when trade was booming.

Owing to the lack of water communication from the lake to the Hudson, only a small proportion of valley timber found a market in New York. A small amount of lumber went by sleigh in winter from Whitehall to the Hudson where it was transported by sloop to Albany or New York.<sup>8</sup>

For a generation, the timber trade provided the life blood of Vermont's economy. Frontier agriculture provided a subsistence but, where there was access by stream or river to Lake Champlain, the lumbermen preceded or accompanied the farmer. The first cash crop of the settler was lumber. If this first crop could not be marketed in this form it could be taken in the form of potash to Lower Canada, from where it could be exported to Britain. In Britain, it could be used in making soap or as a bleach in the expanding cotton textile industry. The production of potash was a simple operation any farmer could readily master; it required only muscle and the use of a leaching bed. The timber was burned, the ashes collected, leached and the resulting potash packed in barrels. The barrels could be transported to market in summer on timber rafts, or in winter by sleigh. The ash trade was

7. Vermont, Office of the Secretary of State, *Manuscript State Papers*, XLIX, 17.

8. DeFebaugh, *op. cit.*, II, 317.





a great aid to the small farmer. Only the professional timber cruiser, cutter or merchant with resources and established relations with Quebec contractors could hope to profit by the timber trade. The farmer, however, could easily make his own ashes and ship them to market. Ashes could be imported duty free into Lower Canada and, from there, to Great Britain. To judge the quality of the ashes, the government of Lower Canada appointed, in 1795, an inspector of potash and pearl ash.<sup>9</sup> From January 5, 1800, to January 5, 1801, 3549 barrels of ashes were imported through St. Johns.<sup>10</sup>

The trade between Vermont and Lower Canada was a one-sided affair. At St. Johns the value of imports was much greater than the value of exports. For the year January 5, 1800, to January 5, 1801, the balance in favor of the American states was 34,233 £. With the exception of furs exported to the United States, most of them bound to John Jacob Astor, the larger items exported through St. Johns were 5874 bushels of salt, 367 gallons of spirits, 68 barrels of fish, 86 horses, 4 casks of ale, 538 pounds of wool, 37 hundred weight of bar iron, 110 gallons of wine, 1 pot ash kettle, 206 pounds of shot and other small items.<sup>11</sup> The disproportion between the value of Canadian imports and exports at St. Johns was due to the fact that the proceeds from the sale of American timber and potash in Lower Canada were taken from the province in cash rather than in goods.

Vermonters knew by experience that, by and large, the prices of manufactures in Lower Canada were higher than the prices of corresponding articles which could be purchased in either New England or New York. Indeed, the amount of business which New England or New York merchants had with Vermonters depended to a degree upon the prosperity of the Canadian timber trade. It determined in part how much cash was available to buy goods shipped from New York to Albany or Troy and from there even to northern Vermont. This commercial influence is known because Silas Hathaway arrived at St. Albans in October, 1802, with

9. P.A.C., *Journal of the House of Assembly of Lower Canada*, Jan. 5 to May 7, 1795. 161-163.

10. S, LIV, 2; LVI, 5.

11. *Ibid.*, LVI, pt. A, 5.





\$15,000 worth of goods he had secured from Benjamin Pell & Son of New York.<sup>12</sup> Its influence extended even across the border because Canadians often bought goods in Vermont.

Selling in the Canadian and buying in the American market had its disadvantages. Cases of bankruptcy of Vermonters can be traced to their failure to pay their debts in the United States because of losses of timber rafts or a drop in timber prices in the Canadian market. One bankrupt was described as "a man of property, & was to have received money from Canada for lumber out of which to pay his debts in New York."<sup>13</sup>

From the Canadian point of view, the drain of cash to Vermont was a cause for genuine alarm. Yet one merchant, John Robertson, made light of the situation. He declared that, although the balance of trade appeared on the surface to be in favor of the United States, no Canadian merchant need be apprehensive as enormous sums had been brought into the province by the sale of American potash in Great Britain. As the Canadas became more fully settled, he predicted, there would be "a sufficiency of that article to supply to market without having recourse to our neighbours in the States."<sup>14</sup>

Of more immediate concern to Canadian merchants was the amount of smuggling across the border. The collector at St. Johns, George McBeath, had ever to be on the alert against it. The Canadian government furnished him with the services of only one landwaiter whose task it was to prevent smuggling from the American states into Lower Canada. The number of roads crossing the border, made his task extremely difficult.<sup>15</sup> After the Canadian government had reproved McBeath for his lack of vigilance in permitting loaded sleighs to pass illegally into the Province, the perplexed collector replied, "I never had any account of them from the Landwaiter for they pass in so many directions and different Routes that it would be impossible for a Landwaiter to be able to give a distinct account of the number that pass into the province by Odelltown on the New York side of the Lake."<sup>16</sup>

12. *Ibid.*, LVI, pt. A, 5.

13. N.Y.S.L., *Follett Papers*, 1815-1818.

14. P.A.C., *Baby Collection*, Robertson to William Berczy, Dec. 9, 1799.

15. S, LXII, 461.

16. *Ibid.*, LXV, 112.





As to the possibility of preventing all smuggling, McBeath was pessimistic. "Permit me humbly to observe," he wrote, "that I fear the good purposes intended by the Governor in Council in those appointments of Landwaiters have been, and ever will be totally defeated."<sup>17</sup> One person estimated that two thousand sleighs passed through Odelltown, a notorious rendezvous for smugglers, during the sleighing season of 1806. The only seizure was that of sleighs loaded with 2800 pounds of bar iron and 8 bushels of corn, belonging to James Morgan of Troy and Jacob St. Ours of Elizabethtown.<sup>18</sup> In addition to smuggling by land, there was smuggling by water. In 1796, the collector at St. Johns seized 93 wool hats, 18 pieces of nankeen, 6 dozen gloves and 9 walking sticks which were found hidden on a sloop inbound from Whitehall.<sup>19</sup>

Many of the articles smuggled into the province were British manufactures which had entered the United States through the port of New York and had been shipped via the Hudson-Champlain route and smuggled across the border. Others were East India goods which could be purchased more cheaply in New York than in Lower Canada, because the trade of the latter was subject to the monopoly still exercised by the great East India Company. The Americans monopolized the tea-trade of the Canadian provinces, "as it has a great degree become the general beverage of his Majesty's Provinces of Lower and Upper Canada." The Americans similarly cornered the trade in coarse white cottons, silks, shawls, handkerchiefs and china.<sup>20</sup>

The lower prices of goods south of the border caused settlers in Lower Canada, particularly those in the Eastern Townships, to seek the American rather than the Canadian source of supply. Unconnected by water and poorly connected by roads with Montreal and Quebec, they viewed northern Vermont also as a market for the products of their farms. Joseph Pennoyer, a leading Eastern Townships resident, wrote Thomas Dunn of the Governor's Council that during the winter of 1805-1806, settlers shipped approximately 600 barrels of ashes besides grain, flax and dairy products to the

17. *Ibid.*, 115.

18. *Ibid.*, LXVI, 199.

19. *Ibid.*, XLVIII, 62.

20. *Ibid.*, LXXXI, 13.





United States, instead of to ports on the St. Lawrence and the Richelieu, where "they would have connected ties with Quebec merchants instead of involving themselves in Debt with our American neighbours." His solution was to build a road from the Upper Connecticut River to St. Joseph on the Chaudiere.<sup>21</sup>

Many inhabitants of the Eastern Townships, however, desired to tie themselves more, rather than less closely to the United States. On September 19, 1803, they petitioned the Canadian government to establish the county form of government for the townships, to build roads and to secure by suitable application "relief from the hardships resulting from the vigorous operations of the Law, respecting the entry of goods, wares and merchandise at the Port of St. Johns at the outlet of Lake Champlain."<sup>22</sup>

The Canadian government endeavoured to deflect the trade between the Eastern Townships and Vermont to Canada by building Craig's Road, running from St. Gillis de Beaucriage, through the township of Leeds, Inverness, Halifax, Chester and Tingwick to Shipton on the St. Francis River. The road, seventy-five miles long, was built by four hundred soldiers from the Quebec garrison and opened in 1810. Not only was it poorly constructed, but its course, defying topography, led straight over the hills. Craig's Road did not offer much inducement to settlers of the Eastern Townships to trade more largely with Canadian merchants.<sup>23</sup>

The growing importance of the Vermont-Eastern Townships trade caused the inhabitants of the townships to request their government to establish a new port of entry at a point on the border east of St. Johns, or to permit free trade in goods imported from the United States. The inhabitants agreed with their government that all imports from the United States should be in principle discouraged if not prohibited; yet, because of the lack of roads to connect the townships with the other parts of the province, they had no alternative but to purchase articles which they needed in the states. They requested "that opportunity be offered for the doing under the sanction of Law, what must in all probability other-

21. *Ibid.*, Land Sundries, 1803-1806, Pennoyer to Dunn, March 31, 1806.

22. *Ibid.*, LIX, 184.

23. *Bulletin des Recherches Historiques*, VII, 316.





wise take place without it, at the risk of seizure of the goods or articles so introduced.”<sup>24</sup> Despite smuggling across the border in both directions, the amount of timber and goods entering the province at St. Johns was growing from year to year. In 1806, McBeath was happy to report that the customs district which “in the first year of establishment . . . [had] barely paid expenses . . . [now] turns in a handsome surplus.”<sup>25</sup>

One reason for the volume of this trade lay in the ease with which goods could be moved by land or water across the border. In winter, travellers entered by sleigh on the ice of the rivers and lakes. Lake Champlain was open for navigation from the middle of April or the first of May until late fall and provided a broad waterway to Lower Canada.<sup>26</sup> As early as 1790, the British listed the following vessels on the lake: one schooner, 70 tons; three schooners, 15 tons each; one sloop of 30 tons; three sloops, 20 tons each; and twelve boats, 3 to 6 tons.<sup>27</sup> After 1800, every little port on the lake increased the number reported in 1790 by building many vessels. Not only were better connections established by water to St. Johns, but numerous ferry franchises were granted by the state of Vermont to establish connections between the east and west shores of Lake Champlain. The state granted franchises between Panton and the west shore, Ferrisburg and Grog Harbor, Burlington and Chesterfield, and other points.<sup>28</sup> The first steamboat was built in 1809 at Vergennes. Its second-hand engine was brought overland from Albany.

The improvement of water transportation was accompanied by the building of roads to connect Vermont with New York, New England and with Lower Canada. From northern Vermont, settlers could pass by land into Lower Canada by a road around Missisquoi Bay to St. Johns and to La Prairie. A second road was cut through Sutton Township to St. Armand. A third ran from the east side of Lake Memphremagog via Stanstead, Gibraltar Point and St. Armand to Yamaska. Another led from Ascott through the

24. S, LXIII, 142.

25. *Ibid.*, LXVI, 219.

26. Hemenway, *The Vermont Historical Gazetteer*, I, 705.

27. Q, XLVII, pt. I, 215-217.

28. Vermont, *Acts of the Assembly*, 1804, 5, 8, 9; *Records of the Governor and Council of the State of Vermont*, V, 48, 49, 51.





valley of the St. Francis to Three Rivers on the St. Lawrence.<sup>29</sup> An elaborate turnpike was that of the Montreal-Boston Turnpike Company which Vermont chartered in 1805. It was supported by resident and absentee Vermont landowners. "I am glad to hear," said Andrew Craigie, the Massachusetts financier and land-owner, "the Legislature of Vermont has granted a turnpike through that state in a direction between Montreal and Boston—it will receive all the aid I can give it."<sup>30</sup>

The improvements in transportation by water and by land brought an increase in the number of Vermonters crossing and recrossing the border. The majority of them were never recorded. Many of the unrecorded crossings were made by persons bent on smuggling missions, but numerous individuals, obeying provincial regulations, declared themselves at the border and made known their reasons for entering Lower Canada. Among the aliens who made declarations were cheese-sellers, saddlers, tailors, cordwainers and Shoemakers "bound for Montreal." The students John Collins and Dan Stone of Williams College said they were en route to Montreal "solely for the purpose of acquiring a knowledge of the French Language." A hatter moved to Montreal to "work my trade." Men came from Willsboro to buy horses, others to exchange cattle for the small but tough French Canadian horse and one came from Windsor on "business to Montreal." A Yorker, Eden Johnson was on his way "to Canada in quest of a Black man" belonging to a resident of Plattsburg, New York.<sup>31</sup>

In addition, numerous persons arrived at the border from as far south as New Jersey and as far east as Connecticut. Some of them were moving permanently to Montreal or other towns to engage in a variety of businesses. Americans established what was in effect a stranglehold on innkeeping. Stage coaching between St. Johns and Montreal, and between Montreal and Quebec was likewise in American hands.<sup>32</sup> Many skilled artisans, as well, came into the province, among them saddlers, tailors, masons and

29. Royal Society of Canada, *Transactions*, VII, 139.

30. V.H.S., *Whitelaw Papers*, Craigie to Whitelaw, November 23, 1805.

31. S., *Declarations of Aliens*, 1792-1811.

32. Cushing, Elmer, *An Appeal Addressed to a Cordial Public* (Stanstead, 1826), 7-8; Bouchette, Joseph, *A Topographical Description of the Province of Lower Canada* (London, 1815), 174.





lumbermen. The province welcomed them, for Canadian artisans were reported less skilled and efficient than their American fellows. "Canada masons are no ways skillful in this Trade and do not work equal to other masons."<sup>33</sup> The American contribution of industrial techniques to Canada at this time has often been overlooked.

The majority of American immigrants crossing the Canadian border, however, was bound to settle permanently in the province as farmers. A few went to the Ottawa Valley, others to the triangle formed by the border, the St. Lawrence and the Richelieu Rivers, where it is said that the Americans taught the later Scots immigrants "the homely art of living in the forest," but the majority moved into the Eastern Townships. The settlement of these townships had long been retarded by disputes and quarrels over warrants of survey. After 1800, these difficulties were at last removed and the Eastern Townships were rapidly settled.<sup>34</sup> They were easily entered by road from Vermont, the lands were to be had almost for the asking, and the best lands in Vermont had by this time been sold or settled. Few immigrants appeared to be discouraged by obstacles such as the Crown and Clergy Reserves, absentee ownership, lack of roads and land offices.<sup>35</sup> Indeed, in violation of British authority and by agreement among themselves, Americans squatted on the better lands. Alarmed by the number of squatters reported in the townships, Hugh Finlay recommended an annual survey to ferret them out.<sup>36</sup>

The migration, in increasing numbers, of Vermonters to the townships reacted unfavorably upon the settlement of the more inaccessible and rougher lands of northern and central Vermont which had been granted during and immediately after the Revolution. James Whitelaw wrote Joseph D. Fay, "the low price of lands in Canada prevents the sale of ours."<sup>37</sup> In Vermont, absentee ownership further retarded the settlement of these lands. The town of Salem, for example, was owned largely by an absentee land-owner.

33. N.Y.P.L., *Schuyler (Canal) Papers*, Barent Bleeker to Schuyler, May 28, 1803.

34. Hansen, M. L., Brebner, J. B., *The Mingling of the Canadian and American Peoples*, 66-90.

35. Cushing, *op. cit.*, 40.

36. S. LV, 76.

37. V.H.S., *Whitelaw Letterbook*, I, 355.





"who holds land too high [and thereby] prevents settlement."<sup>38</sup>

The influx of Americans caused jealousies among Canadians, particularly those who had been American loyalists. The virtual monopoly of the lands of the townships by American settlers was bound to anger them. One Canadian was heard to declare vigorously that "he did not wish to have any of the damned Quakers or others from New England until he himself Luke Ferguson, Sullivan and some others had been provided for."<sup>39</sup> Another source of discord arose from the attachment of American settlers to republican and democratic principles. "As the Townships were settled all together by emigrants from the United States, it cannot be a matter of surprise that [the] people retained many of their political prejudices, formed in early life, and become strong by long habit."<sup>40</sup> American immigrants must have given umbrage to Canadians when they gathered on July 4, 1806, to celebrate the Declaration of Independence.

Americans did not always welcome those French Canadians who, desiring higher wages or winter work, moved into the Champlain Valley in the wake of those who had for political reasons withdrawn from Canada with the American forces in 1776.<sup>41</sup> At first, the Canadian government attempted to prevent the seasonal or permanent migration of French Canadians to Vermont. It opposed the attempt of Philip Schuyler to secure cheap laborers to work on the Champlain Canal in 1796. One Chardonnet of La Prairie had written him that he could provide as many hands as he needed and that the Commander in charge at St. Johns did not have any objections. The Government, however, objected strenuously, accused Chardonnet of high treason and put him in jail. He was released only upon his promise that he would not attempt to secure canal workers for the states without the government's permission.<sup>42</sup> After the furore over the McLane and *Olive Branch* affairs had subsided, the government changed its attitude towards this migration; not so the Vermonters, however. "No company here fit to be seen

38. *Ibid.*, 330.

39. S. XLVIII, 49.

40. Cushing, *op. cit.*, 41.

41. Foley, A. R., "French-Canadian Contacts with New England," *Proceedings of the Conference on Educational Problems in Canadian-American Relations*, 1938 (Orono, Maine, 1939), 79-96.

42. N.Y.P.L., *Schuyler (Canal) Papers*, Chardonnet to Schuyler, Dec. 18, 1796.





with," said one of them. "The inhabitants are composed of Canadians, bloomers, millers and such like, a few excepted."<sup>43</sup> The Vermont Assembly unconsciously betrayed a prejudice when it passed an act to prevent the "growth of the Canada thistle (so called)."<sup>44</sup>

A legitimate source of friction between Canadians and Vermonters was the presence of lawless elements on both sides of the border. The constant breaking of the law by smugglers and others did not increase the respect of either Canadians or Americans for its majesty. The border, moreover, acted as a magnet attracting across it law breakers bent on escaping arrest or imprisonment. The Canadian law breakers encamped south of the border, the Americans north of it. Hence the common charge that the other country was less law-abiding, and that the criminal element was always the foreign one.

This charge was often made during the height of the activities of a gang of counterfeiters which for some years plagued Canadians and Americans alike. These men, branded as "profligate and unscrupled," arrived in Lower Canada in 1803 in order to counterfeit bills of American banks. The poorer classes, it was alleged, were persuaded to support the practice as an easy method of attaining wealth. The settlement of the Eastern Townships had been retarded by the migration of many of their inhabitants to the United States to pass forged bills. More than one hundred families lost within a short time their main support by having their menfolk thrown into American jails.<sup>45</sup>

This gang of counterfeiters was not broken up until February, 1808 when thirteen of its members were arrested, and two rolling presses, sixty packets of fine paper, twelve copper plates and \$9,000 in counterfeit bills were confiscated. Three of the gang were imprisoned in Montreal, two fled to Vermont and the remainder were acquitted "on agreeing to abandon the profession." Only Stephen Burroughs, "King of Counterfeiters," remained at large.<sup>46</sup>

Despite these sources of genuine irritation, the intimacy be-

43. V.H.S., Ira H. Allen to Zimri Allen, Oct. 28, 1806.

44. *Records of the Governor and Council of the State of Vermont*, IV, 19.

45. P.A.C., Canada Miscellaneous, *Ruiter Papers*, III, Petition of the Magistrates, Militia Officers, etc., of St. Armand.

46. N.Y.S.L., *Stevens Miscellaneous*, Petition of Oliver Barker, July 15, 1809.





tween Canadians and Vermonters increased greatly. Particularly was this true of their social relations. Members of the same family often lived on both sides of the border and these people gave little heed to the presence of the boundary. Geography played such caprices that Vermonters living near the outlet of Lake Champlain had more connections with the towns of Lower Canada than had Vermonters living in the southeastern tier of the Eastern Townships. The latter had their chief connections with the more settled regions in northeastern Vermont.

Social ties and family relationships stretching across the border were not the only means of spreading Vermont's influence into Lower Canada. Yankee schoolteachers settled in the province, carrying with them the culture of New England. A citizen of Peacham, Vermont, taught school for many years in Bolton, Lower Canada.<sup>47</sup> One Vermont teacher contemplated moving to Lower Canada. He preferred, however, to stay in Vermont, but expressed his willingness to go to the province. "I should certainly prefer a situation in Burlington College to one in any Academy in Canada, although the Salary were somewhat less." A Canadian friend found him, as he wrote "too partial to the Green Mountains—and I rather begin to think there is something in it."<sup>48</sup>

The flow of American teachers to Lower Canada was accompanied by a reverse flow of Canadian students to schools in Vermont and in other New England states. Joseph Brant, the Indian, sent his sons to his Alma Mater, Dartmouth.<sup>49</sup> Canadians were enrolled also at the University of Vermont. When Silas Hathaway contemplated establishing a university at St. Albans, he hoped to attract students not only from Vermont and New York, but also from the Canadas.

The desire of young American women to learn French drew some into Lower Canada. The Misses Forest and Grant advertised in the *Post-Boy* of Windsor, Vermont, in the spring of 1806, that they had opened a Montreal academy for young women. Those who did not wish to go to Lower Canada to learn French were, perhaps, afforded that opportunity by Charles Hyatt's offer to

47. *Transactions of the Brome County Historical Society*, II, 87.

48. V.H.S., *Whitelaw Papers*, Oct. 16, 1806.

49. V.H.S., Brant to Wheelock, Feb. 9, 1801.





teach French in Peacham. With these exceptions, the influence of Lower Canada on the education of young Vermonters was slight. The Anglo-Canadian community in the province was well aware of its lack of educational opportunities. To help remedy this situation, residents of Quebec petitioned the Assembly of Lower Canada to erect a college in order not to have to send their children to the United States for their education. They petitioned also for the immediate opening of a grammar or high school.<sup>50</sup>

Another great New England tradition, the care of souls, influenced Lower Canada even more. Since its settlement, Vermont had been a seat of the historic quarrel between predestinarians and universalists, between belief and unbelief and a host of subtle shadings in between. The reaction against the Calvinist doctrine of election gained momentum in the nineteenth century, largely because the frontier environment emphasized a degree of equality which was reinforced by ideas expressed in the Declaration of Independence.<sup>51</sup>

Missionaries from Calvinist churches in Vermont found the task of conversion more and more difficult in their own state, and at least one turned to proselytise in western New York. One preacher, who had gone to Cazenovia, found the population there hostile. Isaac Lyman, a Vermonter, wrote a fellow-Vermonters that the missionary from their state had met with a hostile reception from the people of Cazenovia. "They say they wish not to have them preach of Hell & Damnation, for let any Person come into a New Settlement & see how they fare will say the Inhabitants suffer all those torments of Hell and Damnation to a perfection."<sup>52</sup>

An equally striking example of the popular rejection of Calvinism occurred in Vermont. About 1800, at the time of the death of a child, a Calvinist minister told the parents that there was only one chance in ten that the child would be saved. Thereupon the father gave "a heavy stamp with his foot and said, 'Hold yr. tongue, I will have no such talk in my house. I don't believe my child has gone to hell. I believe it has gone to heaven, and I just mean to go there too.' He turned to a friend and said: 'Brother

50. S, LXXX, 53-n.d.

51. Ludlum, D. M., *Social Ferment in Vermont, 1791-1850* (New York, 1939), 1-29.

52. N.Y.S.L., *Stevens Miscellaneous*, Isaac Lyman to Phineas White, circa 1798.





Norton, won't you bring a Methodist preacher to see me?"<sup>53</sup>

It was Methodism and other anti-predestinarian sects which were the most popular among Vermonters and popular also among American and loyalist settlers in the Canadas. The great revivalist, Lorenzo Dow, was sent by the New York Methodist Conference to complete the formation of a circuit embracing western Vermont and the eastern half of the Eastern Townships.<sup>54</sup> Another prominent preacher of the time who ignored the boundary was Joseph Sawyer of Middlebury, who became Presiding Elder of the Upper Canada District. Still another shepherd of the Lord's flock on both sides of the border was Henry Ryan, also of Middlebury. He served in Plattsburg, Bay of Quinte, Long Point, Niagara and at one time was a missionary to the Chippewa Indians. He spent his last days as a Superannuate in Upper Canada, where he was noted for his fearlessness in the presence of "lewd fellows of the baser sort" who delighted in interrupting his meetings.<sup>55</sup>

The Baptist Association of Shaftsbury, Vermont, was equally active in the Canadas. It dispatched a missionary in 1809 to Upper Canada and two to Lower Canada. Members of the Association were exhorted "that the great part of mankind was precluded from the stated administration of the Word," declaring that this was the case with most of those who inhabited the frontiers of their state and Lower and Upper Canada. In 1823, this Association claimed three hundred and thirty-six members, nine churches and eight ministers in Upper Canada alone.<sup>56</sup>

These economic, social, religious and educational ties across the border were creating a cosmopolitan rather than an international community which was, however, soon destroyed by the impact upon Vermonters and Lower Canadians of the War of 1812.

53. V.H.S., *Vermont Church History, Methodism*, Rutland, 3.

54. V.H.S., *Vermont Church History*, Milton, I.

55. V.H.S., *Vermont Church History, Methodism*, Middlebury, I.

56. Wright, Stephen, *History of the Shaftsbury Baptist Association* (Troy, 1853), 123, 176.





## Embargo, Non-Intercourse and War

The crisis leading to the War of 1812 brought to a close the era of the good neighbor. As the United States and Britain drifted towards war, Vermonters were pulled in opposite directions as they had been just before the Jay Treaty; the Jeffersonian Republicans revived the expansionist tradition of the Democratic Societies and the Federalists the separatist tradition of the Allens. So long as Vermont remained within the Commercial Empire of the St. Lawrence, its history continued to respond to geographical influences.

The Jeffersonian Republican party in Vermont obtained its greatest support in the Southwest and the Champlain Valley. The appeal of this party was primarily to the small farmers. Because the members of the party when in power were controlled by a caucus the Federalists declared that Vermont was ruled by an aristocracy.<sup>1</sup> The objectives of the party, however, were democratic. Its members still railed against absentee ownership of land and the evils of undemocratically controlled proprietors' meetings. They forced the incorporation of a State Bank in 1807 on the grounds that credit "ought not to be exclusively enjoyed by the Commercial Interests, but should be participated in by the Agricultural Citizen."<sup>2</sup> They spearheaded the opposition to the state militia laws, which were branded as "UNEQUAL, OPPRESSIVE, and intolerably grievous to the poorer classes of citizens."<sup>3</sup> The Jeffersonians in great numbers also participated in the religious revivals which made of Vermont a "burnt-over" area.

The Federalists were dismissed by the Jeffersonians as the former appeasers of Great Britain. One Jeffersonian stalwart declared

1. *Vermont Journal*, Nov. 21, 1808.

2. Vermont, Office of the Secretary of State, *Manuscript State Papers*, XLV, 234.

3. *Ibid.*, XLVI, 192-193.





that Vermont Republicans compromised their principles when they failed to steer "clear of those who joined Britain in open hostilities, those who took protection under them or espoused their policies."<sup>4</sup> The election of 1799 resulted in the rout of the Jeffersonians by the popularity of John Adams' anti-French policies and by the collapse of Vermont expansionism. It brought into power, so Jeffersonians charged, "old Tories, refugees, and British protection men of 1777."<sup>5</sup>

The Federalists repulsed the charges that they were no better than the hated loyalists with the statement, which contained much truth, that other Vermonters than those who had become Federalists had played an equivocal role during the Revolution. One of them, in denying President Thomas Jefferson's contention that man was governed by reason and a sense of right, said:

... do not the New Yorkers throw it into our teeth, that we took the land from them *wrongfully*, and that while they and other states were encountering labors and losses *for Independence* as their object, we made clandestinely a treaty with the Governor of Canada, that we might still call ourselves *Whigs*, and go on to *confiscate* Tory estates, that we and the British were not to fight against each other and if they conquered the States then we were to be a Government by ourselves under them, so that we could always *protect* our lands against the New York Courts; and this was our object; and as Mr. Jefferson knows it, then when he talks to us *Vermonters*, about a government founded on *Reason* of man and his sense of Right, and is so particular to say, that it was the *only object* we saw worthy of *labours* and *losses* we *encountered* in the *war*, folks will think he means something like a *fling* at us, which would be a very mean thing in him.<sup>6</sup>

The conservative character of the Federalist party in Vermont was correctly described by a Republican who said it was composed of "four-fifths of the lawyers, nine-tenths of the merchants and nineteen out of twenty of the clergy."<sup>7</sup> Prominent Federalists were Isaac Tichenor; Lewis R. Morris; the opportunistic loyalist,

4. *Vermont Gazette*, August 18, 1800.

5. *Ibid.*

6. *Vermont Journal*, Feb. 9, 1802.

7. *The Washingtonian*, November 11, 1811.





Benjamin Green; and the nationalist, Nathaniel Chipman, who never forsook his Hamiltonian faith in the United States. The party, greatly influenced in favor of what passed in Vermont for "wealth, talents and respectability," was stronger in the Connecticut Valley than in the other sections. As Federalists constituted the more substantial and conservative elements of the community, they were not so averse as Jeffersonians to the monarchical institutions existing in the near-by Canadas.

As the United States and Great Britain approached an impasse over the rights of Americans as neutrals, the antagonisms arising from local issues merged with the divisions over external issues. The Jeffersonians became the party in favor of war against Great Britain, if necessary, and of striking against the British by conquering the Canadas. Although remote from the issues on the sea, they did not ignore the British violations of the rights of Americans as neutrals. Jeffersonians shrewdly pointed to the Canadas as a source of indemnification for British spoliations of American commerce. The Canadas, they claimed, were the sole British possessions which were conveniently within striking distance of American armies. They maintained that they desired so far to affect British interests as "to force Great Britain to do justice—to make compensation for past injuries and secure us for the future." Such being the case, "we may certainly . . . strike our enemy in the most vulnerable spot. . . . Canada is a part of Great Britain. . . . Where then should we make the attack? Were we calculated to effect a landing at Liverpool or London?"<sup>8</sup>

Nevertheless, there was much truth in the Federalist charge that the Vermont War Hawks wished to use a declaration of war against Britain as the justification for conquering the Canadas. Indeed, the desire to conquer the Canadas arose independently of the desire to force Great Britain to redress American grievances. Jeffersonians sought support for war on the grounds that Vermonters would gain substantial advantages and satisfy old ambitions which were similar to those later marshalled under the slogan of Manifest Destiny. As Julius W. Pratt has demonstrated, the northwestern frontier was indeed aflame with expansionist

8. *Vermont Republican*, Aug. 16, 1813.





fever by 1812.<sup>9</sup> The American frontiersmen believed that the British continued to instigate the Indians against them and they thought this was a legitimate reason for seizing Canadian lands and for securing control of the St. Lawrence outlet to the north Atlantic. As a result, Vermonters, who lived in a state which very early was drawn into the Canadian commercial orbit, contributed greatly to the revival of anti-British and American expansionist sentiment. The expansionist newspaper, *The Green Mountain Farmer* of Bennington, appealed to history:

Our grandfathers remember what a nest of vipers this same Canada was when the French held it and erected a chain of forts from the St. Lawrence to the Mississippi; our fathers remember the infernal use the British made of it in our revolutionary war; and the history of the present day records murder and massacre from the same quarter. . . . Ought we not then drive their armies, not their farmers, from the banks of our western lakes and rivers, and put the landed property of their peaceable landholders on a par with that of their brethren within the present lines; that is, raise it in value from one to three hundred per cent. In an equitable point of view we have a heavy claim on the territory as we assisted in its original conquest, and were never paid for our services.<sup>10</sup>

The payment just mentioned was demanded in the form not of cash but of the valley of the St. Lawrence. "We want the River St. Lawrence. . . . We want the British expelled from every inch of the North American continent. . . ." As early as 1808, a Vermonter argued in favor of an immediate agreement with Napoleon by which the Americans would annex the Canadas and the Floridas "which would secure us the two great keys of America, the Mississippi and St. Lawrence, with that inexhaustible source of enterprize and wealth; the fisheries and fur trade."<sup>11</sup> The declaration of war gave promise of achieving this long-standing ambition. The Vermonter, Jacob Collamer, wrote on October 12, 1813, that "opening the navigation of the St. Lawrence is an object not to be overlooked in making peace with Great Britain."<sup>12</sup>

9. Pratt, Julius W., *The Expansionists of 1812* (New York, 1925) 1-59. For a different view, see Burt, *The United States, Great Britain and British North America*, 305-310.

10. *Green Mountain Farmer*, Oct. 12, 1813.

11. *Vermont Republican*, April 17, 1812; *Green Mountain Farmer*, Feb. 29, 1808.

12. N.Y.S.L., *Vermont Papers*, XIV.





Despite the popularity of the Jeffersonians' clamor for war, they met stiff opposition at the hands of the Federalists. Earlier, the latter had made political capital of the Allens' negotiations with the British during and after the Revolution. During the trying period before the outbreak of the War of 1812 the accusers of the Allens were in turn accused of negotiating with the British—and rightly so. These new negotiations got under way after the Federalist landslide in the election of 1808. It had resulted from the unfavorable reaction of a majority of Vermonters in all sections to Jefferson's efforts, after the Chesapeake Affair of 1807, to avoid war by embargoing all American trade with other nations. In an extremely hotly contested election, Isaac Tichenor was elected governor once more. Republicans later maintained that he had been elected fraudulently. Indians, negroes and tramps, they said, were marched to the polls, "and fearing that these might not be sufficient, hundreds of his Majesty's subjects crossed the lines" to cast votes for Tichenor.<sup>13</sup>

Meanwhile, Governor James Craig of Lower Canada faced the unpleasant prospect of war. Although New England's hostility to the Embargo was undoubtedly well-known to him, he decided to send an agent into the New England states who would report to him at first hand the specific views and opinions of Federalists whom he knew were violently opposed to war. The agent selected was John Henry of Montreal who had been a resident of Windsor, Vermont, and the editor of the *Windsor Post-Boy*. Craig instructed him to go to Vermont and to other New England states in order to discover the political views of Yankees.<sup>14</sup> After Henry became angered by his failure to secure compensation from Craig for his services, he sold his correspondence to President James Madison for \$50,000. For a time, however, he proved useful to Craig. His reports, sent from many places in New England, throw light on the Federalist state of mind at this time. Between 1808 and 1809. Henry made several journeys into Vermont. He gave the gist of his information in his report to Craig that in Vermont free trade with Canada was the universal desire. "Either Vermont must be-

13. *Rutland Herald*, Aug., 1809 (torn).

14. See Cruikshank, E. A., *The Political Adventures of John Henry; The Record of an International Embroglio* (Toronto, 1936).





long to Canada," he said, "or Canada must belong to Vermont or there must be peace and friendship between them."<sup>15</sup>

Corroboration of Henry's reports on the attitude of Vermonters may be found in the negotiations set on foot by Tichenor soon after his election. On November 11, 1808, the Vermont Assembly passed a resolution which the *Records of the Governor in Council* and contemporary newspaper accounts record as one requesting the Governor to communicate with the Executive Council of Lower Canada in order to break up the gang of counterfeiters.<sup>16</sup> In June of 1809, Tichenor dispatched to Quebec his political ally, Josiah Dunham, a Windsor schoolteacher who knew John Henry, ostensibly on the mission which the Assembly had requested. On July 3, armed with a letter of introduction from Tichenor, he left to see Craig.

The letter which Dunham carried in his pocket did not refer to the problem of counterfeiters; it contained instead a copy of a Vermont Assembly's resolution, designed to remove obstacles to commercial intercourse with Lower Canada.<sup>17</sup> He saw Craig in Montreal, delivered Tichenor's letter to him and succeeded in securing the Governor's promise to do what he could. But did Craig refer to the counterfeiting problem, or to Vermont's desire for neutrality and commercial connections with Lower Canada in case of an Anglo-American war? The following year, Henry reported that he had agreed with Tichenor to neutrality in case of war.<sup>18</sup>

Despite Federalist efforts to keep hidden what they were doing, Jeffersonians charged Federalists with treasonable connections with the authorities in Lower Canada. Sufficient Vermonters were convinced of the truth of these charges to sweep Tichenor from office in 1809 and elect in his stead the Jeffersonian, Jonas Galusha. In his first message as governor, Galusha did not hesitate to refer to the Dunham mission. He and his fellow-citizens, he said, could congratulate themselves on having exposed the intrigues of foreign agents and domestic traitors who had been endeavoring to pit Americans against each other.<sup>19</sup>

15. S, LXXIII, 155.

16. *Records of the Governor and Council of the State of Vermont*, V, 236.

17. S, LXXVIII, 320.

18. Cruikshank, *op. cit.*, 70.

19. *Records of the Governor and Council of the State of Vermont*, V, 401.





His address provided the chief issue during the campaign of 1810. With telling effect, Jeffersonians asked Vermonters if they wished to vote for the party which had held treasonable conversations in Lower Canada and, in a seditious caucus at Burlington had discussed and accepted the proposals agreed upon during these conversations.<sup>20</sup> Jeffersonians were provided with additional political ammunition by the activities of the Washington Societies which sprang up in New England during 1811. Jeffersonians charged that these were secret societies, extending from New York to the Canada line, which favored trading with Great Britain and seceding from the middle, southern and western states.<sup>21</sup> In Vermont, the mouthpiece of these societies was the Windsor paper, *The Washingtonian*. Founded in 1810, its financial backers included the Federalists, Nathaniel Chipman, Isaac Tichenor, Lewis R. Morris, Elijah Paine and Josiah Dunham. Its readers lived on both sides of the border. "We have just received," wrote Dunham, in December, 1810, "an additional list of subscribers from St. Albans quarter & Canada amounting to 800."<sup>22</sup>

How much credence is to be given to the Jeffersonian charges that Vermont Federalists, in company with others in New England, sought the separation of New England from the United States and reunion with Great Britain? Had a later generation arrived at the conclusion of an earlier one that the American Revolution had been a mistake? The answers to these questions is provided by John Henry. He wrote Craig from Windsor that Vermont Federalists declared that "the state will negotiate separately for itself in the event of War with England, and maintain its neutrality even by an armed force; if no other state should unite with it."<sup>23</sup> A minority of Vermont Federalists actually looked forward to the secession of Vermont from the Union. "The idea of *Separation*, you know," declared Dunham, "will not go down well here with the Majority even of Federalists—the pill must be gilded to make them swallow it. . . . New England must come on to it or be slaves."<sup>24</sup>

20. *Vermont Republican*, Aug. 27, 1810.

21. Massachusetts Historical Society, *Transactions*, XLIX, 276-277.

22. N.Y.S.L., *Hubbard Papers*, 1811-1812, Dunham to Hubbard, Dec. 7, 1810.

23. S, LXXVII, 127.

24. *Hubbard Papers*, 1811-1812, Dunham to Hubbard, Feb. 4, 1811.





It would be a mistake to assume that this separatism was wholly the result of the commercial connections between Vermont and Lower Canada. Indeed, not all Vermonters were influenced by these ties. In the Connecticut Valley they were slight. As John Henry, who had lived in Windsor, shrewdly pointed out, the inhabitants of eastern Vermont were not "dependent on Canada for the sale of their produce and supply of foreign commodities. . . ." <sup>25</sup> Here, separatism was due largely to Federalist hatred of Jefferson and all his works.

Vermont Federalists accused the Jeffersonian administration of giving aid and comfort to Jacobinical radicalism. "The Gallic Mania still rages," sighed Nathaniel Chipman, "what will be the outcome of present measures God only knows." <sup>26</sup> Federalists responded similarly to Jefferson's domestic policies. The imminent admission of more western states and the lapse without renewal of the charter of the Bank of the United States brought forth a diatribe from one Vermonter who said "if this be the *liberty* for which our revolutionary patriots fought and bled, it is a boon not worth possessing." <sup>27</sup> When war broke out, Martin Chittenden, son of Vermont's first governor, could see no other reason for it than party politics and expansionism. He blamed the pro-French leanings of the administration, the desire to bolster sinking party fortunes, the ambitions of southerners to conquer the Floridas and those of northerners to conquer Canada. James Madison, he said, favored war because influential leaders in his party threatened to repudiate him if he did not do so. <sup>28</sup> These opinions were scarcely calculated to make converts of Jeffersonians to Federalism. Consequently, the appeal of Federalism to Jeffersonians was necessarily economic. In answer to the Vermonter's expansionist letter, already quoted, a Federalist asked very pointedly what Jeffersonians would do with their beef, pork, grain, lumber and potashes if they could not export them to Lower Canada. <sup>29</sup>

This Federalist had raised a question whose answer invariably embarrassed Vermont Jeffersonians. They fulminated against

25. S, LXXVII, 127.

26. *Hubbard Papers*, 1811-1812. Feb. 11, 1811.

27. *Ibid.*, William Hale to Hubbard, Feb. 11, 1811.

28. *Ibid.*, Chittenden to Hubbard, June 27, 1812.

29. *Green Mountain Farmer*, March 21, 1808.





British plundering of American commerce, they described the expansionist fruits of war, they promised prosperity by home manufactures as an alternative to foreign trade; but in the elections of 1808 and 1812 party lines were broken and they were defeated by the immense appeal of the Canadian market. If Great Britain could have been coerced without disrupting the Vermont trade with the Canadian provinces, these party lines might have remained intact; but they were broken because Vermonters in great numbers refused to support Jeffersonian measures to coerce Great Britain. The prestige and popularity of the party was at the lowest ebb possible after passage of the Embargo of December, 1807, and the supplementary Land Embargo of March, 1808. These acts also brought the Jeffersonians to a grave party crisis. In the struggle which ensued between profits and patriotism while the Embargo was in effect, profits won a thumping victory. Federalists were both amused and exasperated by the reaction of Jeffersonians to the coercive measures of the Embargo Act, and later of the Non-Intercourse Act. "Our Good Demo-Farmers are most wickedly afraid of non-intercourse, and are hurrying away their produce to Canada."<sup>30</sup>

So flagrant and numerous were Vermonters' violations of the Embargo that the collector of the Vermont Customs wrote to Albert Gallatin, Secretary of the Treasury, on April 1, 1808, that it would be impossible to enforce it without the aid of the military. On the 10th of April, Jefferson responded by issuing a proclamation warning Vermonters against trading with Lower Canada and against actions he called insurrectionary. Determined to enforce the Embargo, Jefferson wrote Gallatin to arm vessels on Lake Champlain, to build two gunboats at Whitehall and, if necessary, to call upon the Governor of Vermont to suppress any further defiance of it.<sup>31</sup>

The President's proclamation produced a sensation. St. Albans residents held a meeting in June, 1808, at which they declared that they had never provided justification for such a proclamation and that Jefferson must have issued it upon receiving information

30. *Hubbard Papers*, 1811-1812, Horace Leverett to Hubbard, Jan. 24, 1811.

31. *Records of the Governor and Council of the State of Vermont*, V, 472.





from persons of ill-repute. In the next breath, however, they admitted that the Embargo was being violated. "If individuals, finding themselves on the verge of ruin and wretchedness," they said, "have attempted to evade the Embargo restrictions, and actually accomplished their purpose, this could never furnish a just cause for proclaiming to the world that insurrection and rebellion were chargeable on the good people of this district. . . ." <sup>32</sup>

Yet not any number of pleas of extenuating circumstances could conceal the real situation in northern and western Vermont. When Jabez Penniman, the Customs Collector, was charged with derilection of duty, inhabitants of Franklin County came to his support. They said that the lumber and potash merchants were determined to trade with Lower Canada, and that if the collector tried to enforce the Embargo with the aid of soldiers and a Vermonter were killed, the people would deal summarily with him. <sup>33</sup> To enforce the Embargo, the Franklin County Militia encamped at Windmill Point. The Federal government, doubtful of the discipline and loyalty of the militia, dispatched a company of one hundred and fifty soldiers of the United States Army from Rutland County to the border. After their arrival, the Franklin County militia slowly melted away until by October none but the United States troops remained. <sup>34</sup>

Unwillingly or not, Vermonters continued to share in the prosperity of the Canadas. During the years of the Embargo and Non-Intercourse Acts, the flood of lumber across the border rose so high that in 1806 and 1807 the ships arriving at Quebec from Great Britain were insufficient in number to transport overseas the huge stocks which had accumulated. Over one-half of the oak timber and most of the pine exported from Lower Canada from 1807 to 1812 was cut in the Champlain Valley by Americans who secured sub-contracts from British Navy contractors. <sup>35</sup> From the New York side of the Lake alone, in May and June of 1811, 43 rafts were cleared from Elizabethtown, Plattsburg, Chesterfield, Peru, Willsboro and other towns as far south as Ticonderoga and

32. *Ibid.*, V, 474.

33. *Ibid.*, V, 475 n.

34. *Ibid.*, V, 475.

35. Lower, *Lumbering in Eastern Canada*, I, 174-175.





Whitehall.<sup>36</sup> So insatiable was the demand in Britain for timber that the values of woodlands doubled and, in some cases, tripled.<sup>37</sup>

The inhabitants of the Valley exported also large amounts of potash, beef and grain. To cater to this trade, the Montpelier firm of Lewis Lyman & Company published instructions as to the best method of packing provisions. It recommended that persons who were preparing provisions for the Canadian market should construct barrels of white oak and that pork should be cut into four pound pieces.<sup>38</sup> Americans brought provisions into the province from as far south as Albany, most of which were to be sold on a commission basis. The size of this trade is indicated by the fact that seven hundred sleighs were on the road between Montréal and Middlebury in January, 1809.<sup>39</sup> Some of the beef and mutton walked into the province. Charles Smith, a Quebec butcher, entered into a contract for cattle with Chapman and Duncan of Barnet, Vermont, in the summer of 1809.<sup>40</sup> British contractors often paid Vermonters in Army bills which involved them in difficulty with patriotic Americans when they were used in commercial transactions.

The greatly accelerated business activity in the province called for an increase in the labor supply. To meet the demand, Americans crossed into Lower Canada to work as skilled or as unskilled laborers. On the seigneurie of Petit Nation two hundred and forty-two men were employed in January of 1809 as millwrights, hewers and blacksmiths. Of these, one hundred and sixty-six were from New Hampshire and Vermont.<sup>41</sup> In the city of Montreal, the number of inhabitants was increased very considerably by the arrival of a large number of Americans who engaged in business. Some of them acted as commission merchants who sold provisions imported from the American states to the government, and they also exported to the United States manufactures which could no longer be imported directly from Great Britain. Some came from as far east as Boston, some from as far south as New York and some from

36. N.Y.S.L., *Peter Saily Memoir*, Appendix I.

37. V.H.S., *Whitelaw Papers*, Justin Ely to Whitelaw, May 13, 1807.

38. *The Vermont Watchman*, Oct. 13, 1809.

39. *Quebec Gazette*, Feb. 2, 1809.

40. N.Y.S.L., *Wheeler-Avery-Hathaway Papers*.

41. S, LXXVIII, 274.





Vermont. From Windsor alone, two merchants, Horace Leverett and Julius Barnard, went to Montreal to engage in business.<sup>42</sup> The best known of the Vermonters who went to Montreal was Horatio Gates. He built up a larger business in domestic and foreign agricultural products than any other merchant in Lower Canada.<sup>43</sup>

The number of Americans attracted to the province must have been large. A Montreal police official estimated that the population of the city and its suburbs had been doubled in a few years by the arrival of "a class of people who require watching."<sup>44</sup> The merchant, James McGill, made the startling discovery that of nine hundred and thirty-eight men enrolled in the first battalion of the Montreal militia, two hundred and thirty-six were known to be Americans. The remainder included, he said, many Americans who, because they had lived so long in the province, and for other reasons, considered themselves British subjects.<sup>45</sup>

So great was the expansion of the population and the business of Lower Canada that an American newspaper suggested that if a statue should be erected anywhere to Thomas Jefferson and James Madison it should be placed in Montreal. "It is an undeniable fact," declared the *Quebec Gazette* in June of 1810, "that the trade and commerce of these provinces has increased as rapidly within two years as ever they did in any part of the United States in the same time and proportion of population."<sup>46</sup>

Nevertheless, this prosperity contained elements of weakness. Much of the import trade in raw materials was controlled by Americans and, besides, the demands for labor and raw materials were met to a large degree by Yorkers and Yankees. In these circumstances, there was some danger that the economy of the province might be taken over by Americans without firing a shot. Anglo-Canadian merchants and French Canadian laborers and farmers became more and more aware of this danger as the war approached.

It has been suggested that the French Canadians supported the

42. *Vermont Journal*, Oct. 14 and 30, 1809.

43. Shortt, Adam, "Founders of Canadian Banking," *Journal of the Canadian Bankers' Association*, XXX (October, 1922), 36-38.

44. S. LXXXVII, 179.

45. S. Militia Papers, Military District no. 4, Montreal, July 9, 1812.

46. June 21, 1810.





British during the War of 1812 because they feared that the unsettled lands in Lower Canada would fall into the hands of land-hungry Americans.<sup>47</sup> A more immediate and equally significant reason for their support of the war was their hostility to American laborers who had come into the province to compete with them for the available jobs. For example, the carting business in Montreal fell largely into American hands, which occasioned resentment and jealousy among French Canadian carters. An American named Pick refused to employ French Canadians to unload boats which had just arrived in Montreal in May of 1811 from the American side of Lake Ontario. "This caused," it was reported to the government, "a dispute which ended in a quarrel and was likely to be serious." The riot was quelled and peace restored only after a few skulls had been fractured.<sup>48</sup>

French Canadian farmers joined laborers to express indignation at the American penetration of their province. They were alarmed by the great amounts of farm products which were permitted so freely to enter Lower Canada. Although this influx was for a time welcomed by Canadian merchants and encouraged by the government, it was increased by the inability of Lower Canadians to supply British demands for food and raw materials in the Canadas and at home. The predominantly marginal and subsistence agriculture of the province was the main cause. The farming methods which French Canadians inherited from their fathers and the soil which they tilled were often inferior to Yankee methods and frontier American soils.<sup>49</sup> As might be expected, French Canadians demanded tariff protection. An anonymous writer of a pamphlet which appeared in 1812 advanced three arguments in its favor. He stated that the flood of American articles discouraged the Canadian farmer from raising more than sufficient to clothe and feed his family, and that Americans who sold in the Canadian market took cash instead of goods in exchange, "which is but too Sencibly felt, by the Commercial interest in this Province." Lastly,

47. Lanctôt, Gustave, *Les Canadiens français et Leurs Voisins du Sud* (New Haven, 1941), 130-141.

48. S. LXXXVI, 191.

49. Jones, R. L., "Agriculture in Lower Canada," *Canadian Historical Review* (LXVII, I, March, 1946), 33-51.





he argued that if the American sea ports were opened, the Americans would desert the Canadian market which would then be inadequately supplied if, in the meantime, French Canadian agriculture had been permitted to deteriorate further.<sup>50</sup>

While French Canadian farmers and laborers were increasingly uneasy and apprehensive, Anglo-Canadian merchants entertained fears for their commercial future. They were alarmed by the tendency of American merchants in the province to import American or European manufactured goods via the Hudson-Champlain route rather than by the St. Lawrence. They feared that the Canadian trade in importing these goods might in time desert the St. Lawrence in favor of the southern route. Such Canadian firms as McTavish & McGillivray were disturbed by this trend which they considered potentially dangerous. The partners claimed that "fair traders" had lost much business. Two thirds of the tea and tobacco consumed by Lower Canadians, they declared, had been smuggled into the province. To end this unfair competition, they demanded greater vigilance on the part of the St. Johns Customs officials, the appointment of a Customs inspector at Odelltown and of a government official at Montreal with power to confiscate smuggled goods which had not been seized at the border.<sup>51</sup>

To provide partial relief from the flood of goods imported from the United States, the government at last issued a proclamation on August 6, 1811, which prohibited the importation via the United States of East India goods. The merchants' attitude towards the Canadian-American trade was succinctly stated after the outbreak of the war by the *Quebec Gazette* when it declared that imports via the United States, no less than imports of American goods, had "cramped the industry of both Provinces."<sup>52</sup>

The province so relied upon American merchants, laborers and raw materials that even the war did not force all Americans to return to the states, or end the importation of American raw materials. On June 30, 1812, the government issued a proclamation ordering all American citizens to leave the province within thirty days. Six days later, the American merchants in Montreal,

50. S, LXXXIX, 96-103.

51. S, LXXXIX, 127.

52. Jan. 7, 1813.





who were greatly shocked, petitioned the government that they wished to remain because the province had been their home and place of business for some years. If permitted to stay, they promised to do everything required except bear arms against the United States.<sup>53</sup>

The Canadian government responded by issuing a regulation on July 10 which permitted Americans to remain on taking a conditional oath of allegiance. Thirty-five merchants immediately did so. Six of these later requested to take the oath without conditions, appearing "to ground the motives of their change of sentiment upon the circumstances of hazard, inconvenience, or loss, that may arise from leaving extensive credit and commercial influence in this province upon their departure."<sup>54</sup> Within the province, a few Canadian business men wanted their American employees to remain. George Platt, a Montreal manufacturer, petitioned for permission to keep in his employ three Americans who, he said, were the only artisans capable of operating his wool-carding and nail-making machinery.<sup>55</sup> The Baliscan Iron Works offered to give surety for Americans working in its shops, because their departure would lessen its output.<sup>56</sup>

Although the government issued various embargoes on trade with the American states and closed down all trade on October 20, 1813, it permitted trade if in the interest of the Canadian war effort. A special committee of the Executive Council reported that because provisions and certain other commodities were necessary to the army, the committee recommended that under special license the importation of provisions and the exportation of certain commodities should be permitted. At the same time it suggested that this passage be omitted from the published proclamation. It also recommended that British subjects be allowed to import grain and other provisions, pot and pearl ashes, tobacco and, if needed, leather. It concluded by recommending that British manufactures should continue to be exported to Vermont because "it appears less hostilely inclined than the State of New York."

53. S, XCIV, 7.

54. *Ibid.*, XCIV, 6.

55. *Ibid.*, CIII, 101.

56. *Ibid.*, XCII, 33.

57. *Ibid.*, C, 27; CI, 102.





Because of Vermont's attitude, the government was lenient with American lumbermen who were caught in the province when war was declared. Sixteen were at Quebec and four had arrived with rafts at Chambly. They were given special permission to remain for thirty days.<sup>58</sup> Shortly thereafter, the government issued a temporary regulation requiring Americans to enter the province through the fort at St. Johns. If going to Montreal, they were to report there at the Police office. American timber bound for Quebec was required to be in the custody of Canadians or of Americans who had obtained prior permission from the Montreal authorities.<sup>59</sup>

The means adopted by the government to enable its subjects to trade with Americans led to so thriving a cross-border exchange as to shock William Lindsay, the Collector at St. Johns. "If people can trade with the enemy in time of war with impunity," he exclaimed, there is "neither occasion for Law or Government."<sup>60</sup> During the latter phase of the war, Americans adopted unusual expedients to outwit American customs authorities. On December 1, 1814, the *Quebec Gazette* reported a neutral vessel sailing Lake Champlain with a full cargo of British manufactures. "Who would have expected," it declared, "to have seen a Swedish flag navigating exclusively an inland water belonging to the United States."

Although Canadians entertained themselves with accounts of the smuggling exploits of Vermonters, they fully appreciated how greatly they contributed to the supplies needed by the British Army in the Canadas. "Two-thirds of the Army in Canada," wrote Governor Prevost to Lord Bathurst, the Colonial Secretary, on August 7, 1814, "are at the moment eating Beef provided by American Contractors drawn principally from the States of Vermont and New York."<sup>61</sup> In the same year, Prevost chose to invade the Champlain Valley on the west side of the lake because of Vermont's unconcealed and violent opposition to the war.<sup>62</sup>

Nevertheless, the war did not leave untouched the relations be-

58. *Ibid.*, XC, 14.

59. *Ibid.*, XCII, 229.

60. *Ibid.*, CVI, 162.

61. *C*, MCCXIX, 273-274.

62. *Select British Documents Relating to the Canadian War of 1812*, III, pt. I, 346.





tween the peoples inhabiting the adjoining frontiers of Vermont and Lower Canada. An interesting picture of their plight was drawn in the Congress by Josiah Quincy, a Massachusetts Federalist. He declared that the connections between the two peoples before the war were so friendly and close that they were hardly aware that they were citizens of different countries, that marriages took place between them and each settled in the other's territory. After the outbreak of war, they desired above all to maintain these relationships.<sup>63</sup>

The hope that the war would not affect the daily lives of these inhabitants was, however, not fulfilled. The threat of invasion forced many of the border inhabitants to fall back either into central Vermont if American, or towards the St. Lawrence, if Canadian. Americans fled from the Eastern Townships to Vermont to escape fighting Americans, and Canadians in Vermont fled to Lower Canada to escape fighting Canadians. A British soldier, who had deserted in 1805 from a regiment stationed in Lower Canada, returned to the province after he had been drafted into the New York State militia at Plattsburg because he "chose not to fight against his country and was pardoned."<sup>64</sup> At the same time, deserters from the British Army furtively crossed the border into Vermont. Such desertions were encouraged by Americans. They distributed hand bills in French and English in Lower Canada which offered Canadians a bounty of \$124 and 160 acres of land if they would come to Plattsburg to enlist.<sup>65</sup>

Americans who had settled in the Eastern Townships and who did not choose to flee to the United States were enrolled in the Canadian militia. They were regarded with suspicion, and for good reason. They presented a special problem to Canadian militia officers.<sup>66</sup> One of them who deserted from the militia was reported to be "much against the laws of this province." He slapped his hands together "in an angry manner" and several times "damned the laws of the Province and the Persons who would reprove him for damning them."<sup>67</sup>

63. *Annals of Congress* (XXV, 12 Congress 2nd Session), 546.

64. C. DCLXXVII, 12-14.

65. *Quebec Gazette*, Feb. 14, 1814.

66. S. LXXXIX, 119.

67. *Ibid.*, Canada Miscellaneous, Jesse Pennoyer Papers.





Many inhabitants of the frontier not only adopted a pacific or neutral attitude towards the war, but also continued to ply a petty trade back and forth across the border. The war spirit, however, often turned peaceful trading missions into border affrays. Bands crossed the boundary in both directions, seizing booty wherever they went. Before the end of the war, a police official stationed in the Eastern Townships forbade Canadians to cross the border for purposes of raiding. On January 22, 1815, two arbitrators were appointed by the Canadian government to meet with arbitrators appointed by Vermont and New Hampshire to ascertain what property had been stolen and to provide for restitution.<sup>68</sup>

Not all the border crossings were made for the purpose of plunder or trade. In November of 1812, fifty or sixty of the American troops stationed at Swanton and Highgate crossed into Canada and descended on an inn. Here they "struck up the tune of Yankee Doodle, drank a bucket of gin sling, for which they paid and went home."<sup>69</sup>

This episode was one of many which demonstrated that Vermonters did not take the war seriously. Their hearts were never in it. In October, 1812, they elected as governor Martin Chittenden who chose as his advisor the separatist, Josiah Dunham. The record of this Federalist administration showed that not all Vermonters were as yet loyal to the United States. With the aid of one-half of the Republicans in the Assembly, the Federalists repealed the Act of November 6, 1812, which had prohibited all intercourse with Canada; and Chittenden recalled the state militia from the west side of the Lake in 1813.

Not until the American repulse of Prevost's invasion of the valley at Plattsburg in 1814 did Vermont change its attitude toward the war. This enheartening victory over seasoned British veterans of the Napoleonic Wars caused even Federalists to express patriotic sentiments. Governor Chittenden referred to the battle as a "glorious event."<sup>70</sup> Henceforth, he viewed the war as almost wholly defensive and on September 14, 1814, he called on all Ver-

68. C, DCLXXXVII, 77.

69. *Quebec Gazette*, Nov. 5, 1812.

70. V.H.S., *Samuel Strong Papers*, Chittenden to Strong, Sept. 14, 1814.





monsters to support it.<sup>71</sup> The American victory at Plattsburg has been called the one decisive victory of the war, and it appears to have been decisive in its effect on public opinion in Vermont. It scotched defeatism and separatism. When the Hartford Convention met in December of 1814, Vermont was represented by an observer instead of by an official delegate.<sup>72</sup>

In the same year in which the Hartford Convention met, the Treaty of Ghent brought the war to a close. In retrospect, it was not only an unpopular but also an inconclusive war. Jeffersonians had coveted Canadian lands and they had sought control of the St. Lawrence. Neither of these aims were realized by the war, despite the sacrifice of American lives and the expenditure of large sums of money. Why did the Americans with their superior land power fail to seize the Canadas? The obstructionism of Vermont and of the other New England states was one reason. Another lay in the mistaken belief that French Canadians and Americans in the provinces were so disaffected that they would support the American troops against the British. Above all, American strategy was defective. It ignored the experience of more than a century which demonstrated that the Canadas would fall only when Montreal and Quebec were captured. Instead of attacking these seats of British power, the Americans employed their military strength to attack places on the border, stretching all the way from Detroit to Lake Champlain. After Prevost's defeat at Plattsburg, both belligerents were willing to accept a peace negotiated on the principle of *status quo ante bellum*, and on that basis the Treaty was made.<sup>73</sup>

71. *Niles Weekly Register*, VII, 65.

72. Crockett, Walter H., *Vermont: the Green Mountain State* (New York 1921-1923), 5 vols., III, 124.

73. Burt, *The United States, Great Britain and British North America*, 482-496.





## CHAPTER EIGHTEEN

# Withdrawal from the St. Lawrence

In 1814 the British writer of *A Compressed View of the Points to be Discussed in Treating with the United States*, argued from geography for a fundamental and far-reaching revision of the Canadian-American boundary.<sup>1</sup> Since the Revolution, Canadian merchants had been advocating just such a change. Now in the year of the signing of the Treaty of Ghent, this pamphlet argued in favor of a revision of the boundary in such fashion as to restore to the political dominion of the Canadas those portions of its commercial dominion which had been ceded to the United States in 1783. Economic geography, so thought Canadian merchants, was the only legitimate basis for drawing the boundaries of political geography. The writer of the pamphlet proposed that the boundary between Lower Canada and Vermont be so changed as to include the Champlain Valley in the British possessions in North America.

This was not a new or startling proposal. During the Revolution, Vermonters had made a similar one, and others after the Revolution. They had been struggling to reconcile the pull of geography and trade in the direction of the St. Lawrence with their potential Americanism. Vermonters, chiefly of the Champlain Valley, lived and died within the Commercial Empire of the St. Lawrence. From it they achieved a reasonable degree of prosperity. In times of peace they were fairly good neighbors of the people of Lower Canada and at the same time indifferent but unprotesting citizens of the United States.

Within seven years after the close of the War of 1812, however, the opening of the Champlain Canal enabled Vermonters in the Champlain Valley to withdraw from the St. Lawrence and connect themselves with the expanding economy of New York and with its busy and prosperous port at the mouth of the Hudson. From now on, a fundamental change took place in the commercial ties

1. *Quebec Gazette*, Oct. 6, 1814.





of Vermonters with the outside world. Henceforth all of Vermont looked south instead of north.

The events of the immediate post-war years gave Vermonters no hint of these impending changes. The many ties of pre-war years with Lower Canada were quickly reforged. On May 29, 1815, St. Johns was declared a port of entry of the Province of Lower Canada. Timber, farm articles, etc., were once more placed on the Canadian free list.<sup>2</sup> In August, William Lindsay, the Canadian Collector, wrote that the duties collected at St. Johns had averaged 7,000 £ for the years, 1809-1812, and he estimated that the receipts would total 10,000 £ for the year, August 1, 1815, to August 1, 1816.<sup>3</sup> So optimistic was Lindsay for the future of this trade that he drew the plans for a splendid Customs House at St. Johns, one befitting the size and significance of the trade.

As before the war, people and goods moved freely back and forth across the border. "Every day," declared the *Quebec Gazette*, "brings in large sleighs heavily laden with provisions from the Eastern Townships and our friends the Vermonters."<sup>4</sup> Again smuggling became the bane of the Canadian Customs' officials as East India goods, American tobacco, American and British manufactures were brought illegally into the province. Once again complaints were made of the laxness of these officials who were, however, it was claimed, very "punctual in calling for their Salery."<sup>5</sup> Once more, professional men and artisans from the states entered the province. Even friendships of former times were resumed. John Strachan of York, Upper Canada, agreed with a Vermont friend not to discuss the war. "It should never have been," he wrote, "and I hope it will never be renewed." He said later that he hoped "our respective Governments have learned enough to be moderate in the future."<sup>6</sup>

This friendly spirit was reflected in the writing of the Rush-Bagot Agreement of 1817 which limited armaments on the Great Lakes and Lake Champlain. Yet this agreement was effected

2. Q, CXXXII, 154-173.

3. S, CX, 115.

4. Jan. 31, 1820.

5. S, CVI, 81.

6. N.Y.S.L., *Wheeler Papers*, 1813-1818, Strachan to Francis Childs, April 26, 1815, July 23, 1815.





largely because the Canadians did not have the financial resources to outbuild the Americans in a naval race and because British naval power in the Atlantic was more than a match for American.<sup>7</sup> That the peace treaty did not end American distrust of Great Britain was demonstrated when the United States built a formidable fort at Rouse's Point. Much to the embarrassment of the American government, it was soon discovered that the fort had been built on Canadian soil.

Although the British government eventually ceded the land upon which the fort stood to the United States, it was determined that Lower Canada would never again be in danger of inundation by American settlers. Lord Bathurst, the Colonial Secretary, wrote Governor Prevost on January 10, 1815, that he forbade him to grant lands to American settlers and that he was to exercise the greatest care that they did not settle in the province until he should be instructed otherwise.<sup>8</sup> Governor Prevost himself objected to American settlers. He advised that the frontier east of Lake Champlain be left unsettled because he thought the war had demonstrated that an unsettled country provided a better defense than a settled one. Prevost declared that settlers on the frontiers would inevitably trade with Americans which would tend to prejudice them in favor of American ideas and institutions. To prevent this, he suggested that Canadian settlers and British immigrants be settled upon the lands lying between the St. Lawrence, the Richelieu and the border.<sup>9</sup> Prevost's advice was finally accepted in modified form. The British government decided to create a barrier between the two peoples by preventing settlement of lands near the border and by outnumbering Americans already in the province with British immigrants.<sup>10</sup>

Canadians welcomed this belated effort to throw back the tide of American settlers which had risen to dangerous levels before the war. They had narrowly averted being swamped by the Americans and, furthermore, they had been inundated by a flood of raw materials from the States. After the war, Canadians sought

7. Burt, *The United States, Great Britain and British North America*, 395.

8. P.A.C., *Canada Public*, E, 367-368.

9. P.A.C., *Land Sundries*, 1812-1816, March, 18, 1815.

10. *Ibid.*, 370-373.





protection against a renewal of American competition in their markets. Inhabitants of the Eastern Townships petitioned the Lower Canada Assembly to build better roads to connect the townships with Canadian commercial centers and to lessen the "discouragement to the Agriculture and Commerce of the Province, arising from the unrestricted introduction of Cattle and Manufactures into the Townships from the United States."<sup>11</sup> So strong became the agrarian protest against imports from the States that in 1817 the Canadian governor disallowed a bill extending the free list to flour, meal, flaxseed, cheese, pork and beef, and undressed hides and skins.<sup>12</sup>

Three years later so strong an opposition developed in Great Britain to the continued importation of American lumber via Lower Canada that a Parliamentary Committee was appointed to review the subject of Canadian commerce and its regulation. This committee laboriously and conscientiously unearthed a mine of information which must have startled many members of Parliament. Charges were made that Champlain Valley timber was subject to dry rot, that it was generally of inferior quality, that the timber exports from Lower Canada came from south of the border and that the differential duties in favor of the Canadas were uneconomically fostering imports from the Canadas instead of from the source of timber supply nearer at hand in the Baltic region. The charge of dry rot was not wholly substantiated; but the other charges were proven. The committee heard testimony that between one-third and one-half of the timber exported from the St. Lawrence had been cut in the United States. A leading timber merchant, Henry Usburne, was asked if the differential duties did not favor imports from the United States more than imports from the Baltic states and if they did not operate as a bounty to American citizens as much so as they did in favor of British colonials. He was forced to reply, "Yes, to a certain extent."<sup>13</sup>

The evidence unearthed by the Committee prompted the Cana-

11. Doughty, A. G., Story, N., *Documents Relating to the Constitutional History of Canada, 1819-1828* (Ottawa, 1935), 92-93.

12. Millman, T. R., *The Legal Regulation of Trade Between Canada and the United States* (unpublished Master's Thesis, University of Toronto, 1933), 84.

13. Great Britain, *Sessional Paper 186*, VI, 1821; *Sessional Paper 269*, III, 1820, 43; *Hansard Debates*, n.s., I, col. 800, June 2, 1820; *Albion, Forests and Sea Power*, 401-403.





dian and British governments to place restrictions on timber imports from the United States which threatened for a time to disrupt the historic trade between Vermont and Lower Canada. Between 1819 and 1822, regulations were issued requiring certificates of Canadian origin for timber shipped from Lower Canada to Britain. The British Parliament reduced the duty on Baltic timber and passed the Canada Trade Act of 1822 which placed duties upon imports of raw materials from the United States. This act, declared the *New York Commercial Advertiser*, was "likely to destroy the lumber trade hitherto carried on from Vermont to Canada."<sup>14</sup>

In the same year in which the Canada Trade Act was passed, the Champlain Canal was sufficiently completed to provide a southern outlet for Champlain Valley timber. The construction of the canal had been abandoned in the nineties by Philip Schuyler. Since that time the financial resources which New York could tap to revive this project had increased enormously. Years before the opening of the Champlain Canal a Canadian, who saw clearly the significance of New York's superior financial resources, had thoughtfully declared that Americans "possess the funds; Canadians the volume of water."<sup>15</sup> The man who marshalled these funds was De Witt Clinton. In 1817 he embarked upon the building of two great canals. The more important one was to connect the Hudson with Lake Erie rather than Lake Ontario because goods once on Lake Ontario were said to be landed usually upon the wharves of Montreal. The less important canal was to connect the Hudson and Lake Champlain.

The main reason for building these canals was to divert the trade of the basin of the Great Lakes and the Champlain Valley from the St. Lawrence to the Hudson. New York had already, by its superior commercial resources and shipping facilities, among many factors, won a sizeable proportion of the trade in American and foreign manufactures moving from the seaboard into the interior regions on both sides of the border. The Erie and Champlain canals were designed to increase the size of New York's

14. Quoted in the *Vermont Republican and American Yeoman*, Aug. 13, 1824.

15. Q, LVII, pt. 2, 375-381.





share of this trade and to add to it a large proportion of the outbound trade in raw materials. That such was New York's strategy was demonstrated by the Canal Commissioners' Report for 1817. They declared that the Champlain Canal would raise land values, transport timber, iron ore, food and other farm commodities to New York markets as well as open a wider market for manufactured goods, domestic and imported, in the Great Lakes region and the Champlain Valley.<sup>16</sup>

Although the promoters of New York's canal system desired above all to increase the volume of the commerce of their state, they sought also to tie together the American sections with the thread of commerce. The continued existence of the United States, they said, depended to a large degree upon the "strength of our common interests."<sup>17</sup> They hoped that the canals would help to prevent a recurrence of the disaffection which had been so evident among Americans living in the Commercial Empire of the St. Lawrence during the Embargo and the War of 1812. They wrote privately that unless the Erie Canal were built, Americans "on fertile farms in convenient Situations, may continue to toil for British Merchants; and accommodating, by Degrees, their Sentiments to their Connections, feel at last, with Sorrow and Surprise, that british Hearts beat in their American Bosoms."<sup>18</sup>

With the decisive aid of British capital, the Champlain and Erie canals were swiftly completed. By modern standards the Champlain canal was puny, merely a ditch capable of floating shallow-draft canal boats. Yet it achieved its purpose. Although lumber passed through it in 1822, not until October 8, 1823, was the canal officially opened when the *Gleaner* was welcomed with appropriate ceremonies in the city of New York. The much more spectacular ceremonies celebrating the opening of the Erie in 1825 have tended to lessen recognition of the effect of the Champlain Canal upon the commerce of Vermont, Lower Canada and New York. "A new era has indeed burst upon us," said Governor C. P. Van Ness of Vermont after the *Gleaner* docked in New York,

16. New York (State), *Report of the Canal Commissioners for 1817* (Albany, 1818), 91-92.

17. *Ibid.*, 101.

18. Columbia University, *De Witt Clinton Papers*, XXIV, 91 (n.d.).





"when we can hear of the arrival of vessels at the city of New York from the northern extremity of Vermont. The immense value of such a communication to this state will soon be extensively seen and felt in the different branches of business carried on within."<sup>19</sup>

The first effect of the opening of the canal was the sudden and dramatic ending of the lumber trade hitherto carried on between Vermont and Lower Canada. In 1821, 758,500 cubic feet of pine timber came down the Richelieu, one year later, only 22,000.<sup>20</sup> Saw mills were now moved from the Hudson to the Champlain Valley to cut the remaining timber, and the lumber was sent by the canal to the Hudson where it would be lashed aboard Hudson River sloops for transportation to New York.

Lumber, however, did not loom so large in the trade with New York as it had in the trade with Lower Canada. By 1820, or thereabouts, the better stands of timber had been cut and sent to Quebec. What remained was fit largely for sawing or for ashes. The imminent exhaustion of the better stands indicated that the economy of the forest frontier in Vermont was passing. Indeed, the Vermont boom was almost over. That its end was approaching had been demonstrated by the migration of Vermonters to the Eastern Townships. After the War of 1812, they moved in ever-increasing numbers to the Genesee and the Western Reserve. By mid-century they were on the Pacific slope. Those who did not choose to migrate were forced to adjust themselves to the advance westward of the frontier of timber and of grain. This adjustment was at last made when Vermonters turned to the production of wool, to dairying, mining and small scale manufacturing. By providing new markets for Vermonters, the Champlain Canal helped them to adjust themselves to the changing times.<sup>21</sup>

The lake port which benefitted most from the canal and these newer economic activities was Burlington. The Allens and Samuel Peters had thought that Burlington would prosper only if a Richelieu Canal were built; but it was the Champlain Canal which

19. *Records of the Governor and Council of the State of Vermont*, VII, 443.

20. *Lower, Lumbering in Eastern Canada*, I, 317.

21. Stilwell, L.D., *Migration from Vermont*, 115-196.





brought Burlington its real prosperity. Nevertheless, they would have enjoyed the Burlington boom. The port was soon connected by sloops, steamboats or by canal boats with St. Johns to the north, Troy, Albany and New York to the south, and even with Boston to the east and Cleveland to the west. By land it had turnpike connections with its own immediate hinterland, the Winooski River Valley, and from it to the Connecticut Valley.<sup>22</sup> As Burlington forged ahead, so did its political pretensions. In 1823, a group of Burlington inhabitants presented a petition to the Vermont Assembly asking that the port be made the capital of the state because it is "situated on what is now and ever must be the greatest thoroughfare in this portion of North America."<sup>23</sup>

The far-flung commercial activities of Burlington are admirably illustrated by the business carried on by the firm of Mayo & Follett. After the opening of the canal, the firm discovered that Connecticut Valley merchants were disposed to do more business with the Champlain Valley and New York than with eastern New England. On one occasion the firm introduced a Craftsbury merchant and his partner to the New York firm of Halstead & Harris with the explanation that "they had hitherto purchased their goods at Boston but from the facilities of communication afforded by the canal are disposed to make purchases at New York."<sup>24</sup> The firm actually dispatched articles via the Champlain Canal and New York to Boston.

The depressing effect of this trade upon the business of the merchants of the Connecticut Valley did not pass unnoticed. The advantages which they had gained by the building, in the first quarter of the century, of six canals around obstructions to navigation of the Connecticut River were largely nullified by the Champlain Canal. In 1825 merchants of Bellows Falls, Brattleborough, Montpelier and other towns held conventions at Windsor and Montpelier to discuss the practicability of regaining lost ground by building canals to connect the Champlain Valley with the Connecticut Valley and the latter with Boston and Portsmouth. Unfortunately for them, the hilly character of western

22. See *Mayo & Follett Papers* in the New York State Library.

23. *Ibid.*, n.d.

24. *Ibid.*, Mayo & Follett to Halstead & Harris, May 1, 1824.





New England made such a project impracticable. The Connecticut Valley, as well as New England as a whole, had to await the railroad era before it could tap the trade west of the barrier of the Berkshires and the Green Mountains.<sup>25</sup>

In addition to trading with the Connecticut Valley, Mayo & Follett carried on a lively trade within the Champlain Valley. The firm did a thriving business forwarding manufactures which had been purchased in New York, and collecting farm products from both sides of the lake for shipment to New York or, on occasion, to Lower Canada. It enjoyed the advantage of an alternate market and source of supply. It often sent pork, cheese and other products to Horatio Gates & Company in Montreal. Usually, the firm was wary of purchasing in the Canadian source of supply. The American protective tariff of 1824 and the "facility of bringing merchandize from New York, by the Champlain Canal operated against it."<sup>26</sup> The firm wrote Horatio Gates & Company that it was not purchasing salt in Montreal because the partners "don't know whether it may be more advantageously purchased at the North or the South." They carefully watched the prices current in New York and Lower Canada, dispatching their produce accordingly. "We believe ashes will command a better Price in Canada the approaching season, than in any of the United States markets."<sup>27</sup> Such, however, was the exception. Henceforth, the bulk of the trade was directed south rather than north. Canadian bills still circulated in Vermont, salt was still imported, but the great days of the Canadian trade were gone forever.<sup>28</sup>

While the canal stimulated trade in farm products and ashes, it also helped to diversify the valley's economic activities by making possible the profitable exploitation of its sub-soil resources—notably marble and iron ore. In anticipation of the opening of the canal, two New York business men opened a marble mill at Swanton in 1820.<sup>29</sup> This venture was not a success, but similar ones elsewhere were wholly successful. In the

25. *Records of the Governor and Council of the State of Vermont*, VII, 480.

26. N.Y.S.L., *Peter Saily Memoir*.

27. *Mayo & Follett Papers* (badly burned).

28. N.Y.S.L., *Vermont Papers*, XV, Letter of John Spragg (?), November 26, 1827.

29. Hemenway, *The Vermont Historical Gazetteer*, IV, 1025-1026.





ensuing decades, many a Yorker would install in his parlor a mantle made of Vermont marble.

The bulk of the iron ore was mined on the west side of the lake. Mines were opened at Ausable Forks, Port Henry, Peru and Chateaugay. Nearby, nail factories, anchor forges, blast furnaces and cable manufactories were established. Much of the ore not used by these enterprises was shipped across the lake to Vermont towns, especially to Vergennes where John Dodd Ward eventually settled. He had assembled the first Canadian steamboat machinery at his Eagle Foundry in Montreal in 1817-1819.<sup>30</sup>

Although Vermonters were seemingly indifferent to the end of the prosperous trade with Lower Canada, Canadians were not. As early as 1818, one year after the New York canals were chartered, the Assembly of Lower Canada retaliated in a half-hearted fashion by passing a bill appointing persons to make a survey for a canal around the ever-troublesome rapids of the Richelieu and appropriated the sum of 1550 £ for this purpose.<sup>31</sup> The necessity for such a canal was described to the Assembly by the inhabitants of Dorchester, a small town near St. Johns.

... It is evident to every man of commercial knowledge that unless we are permitted and encouraged to improve the navigation of these Rapids without delay the resolutions of the Legislature of the State of New York passed last winter will operate seriously against the general interest of this Province hereafter and that on the contrary if we proceed immediately to make an easy, cheap and safe water communication for rafts and boats from Lake Champlain to the St. Lawrence we may defy their utmost exertions as to any canal between the Hudson and Whitehall being able to detach the mercantile body situated in the vicinity of Lake Champlain from their usual connections with us and the Province in general; and that notwithstanding we live under different governments they and posterity will bless the hands who first undertook this grand object.<sup>32</sup>

30. Bixby, G. F., "The History of the Iron Ore Industry on Lake Champlain," *Proceedings of the New York State Historical Association* (X, 1911), 171-237; V.H.S., *John Dodd Ward Papers*.

31. S. CXXXIII, 54.

32. S. CXXXI, 131, n.d.





The *Quebec Gazette* claimed that the canal would advance the commercial prosperity of its city by drawing trade from Montreal and, by by-passing St. Johns, enable Americans to bring articles to the Quebec market, "direct without intervention of agents."<sup>33</sup> The open avowal of Quebec's ambition to entice trade from St. Johns and Montreal to its own merchants demonstrated that the canal project had become involved in commercial rivalries within the province. These rivalries made it difficult for Canadians to present a united front against the threat of New York's canals to Canadian commerce as a whole. Furthermore, they were accompanied by the stiff opposition of the agrarian French Canadians who wished provincial funds to be spent on roads rather than on canals, because canals threatened to increase American competition with their farm produce and timber in the Canadian market. Why should they vote, French Canadians argued, to appropriate money which would have the effect of increasing this competition? Agrarian opposition made it even more difficult for Canadian merchants to secure financial aid from their government for the purpose of building a canal system which would furnish the same advantages to the Canadas as the New York canals furnished to New York. On October 8, 1818, the *Quebec Gazette*, in referring to an American pamphlet which discussed Canadian plans to build a canal system, said that the pamphlet gives "us praise for exertions to counteract the effects of the American canals to which we are not entitled. Not a spadeful of earth has as yet been taken out of the intended Lachine & Chambly [Richelieu] canals."

Not until the middle thirties did the Canadians attempt to compete with the United States by building the Chambly Canal around the Richelieu rapids, the Welland Canal to connect Lake Erie and Lake Ontario and by building canals around the St. Lawrence rapids.<sup>34</sup> These canals, however, failed to attract as much trade as Canadians had anticipated. The Welland Canal was used by Americans to transport articles to New York through the feeder canal connecting Oswego with the Erie Canal. The

33. March 22, 1819.

34. See Glazebrook, G. P. de T., *A History of Transportation in Canada* (New Haven, 1938).





St. Lawrence canals were rendered less useful than they might have been because their dimensions were different than those of the Welland, thereby preventing many Canadian and American vessels from proceeding from the lower lakes to Montreal. The Chambly Canal served chiefly as a funnel through which Ottawa Valley lumber poured through Burlington into New England and New York markets.

Some years before the completion of the first Canadian canal system, William H. Merritt, its chief promoter, gloomily observed that "from our defective system we have lost the trade of the entire country bordering on Lake Champlain..." and "as far west as Lake Superior—lying within the boundaries of the United States."<sup>35</sup> Although the Commercial Empire of the St. Lawrence remained intact until the repeal of the Corn Laws in 1846 and the Navigation Acts in 1849, it was never again so attractive to Americans as it had been before 1825.<sup>36</sup> The changes wrought by the Erie and the Champlain canals were permanent.<sup>37</sup>

The canals effected more than a commercial revolution. They inaugurated significant political changes which contemporaries had foreseen. The traveller, John Duncan, declared in his comments on the Champlain Canal that "in fact much of the moral and political as well as commercial aspect of this vast continent, will, in the course probably of a few years, undergo a great revolution."<sup>38</sup> *Niles Weekly Register* of Baltimore made a similar but more specific prophecy. The canal, it said, would not only make Vermonters more prosperous "but more efficient when their country needs their services."<sup>39</sup>

As Duncan and Niles predicted, the withdrawal after 1822 from the St. Lawrence helped to make Americans of Vermonters. During the Revolution, they had negotiated to reunite with Great Britain, in 1789 they had tried to prevent the entrance of Vermont into the union, during the crisis leading to the Jay Treaty they

35. Innis, H. A., Lower, A.R.M., *Select Documents in Canadian Economic History, 1783-1885* (Toronto, 1933), 183-184.

36. Creighton, *The Commercial Empire of the St. Lawrence*, 349-385.

37. See Albion, R. G., *The Rise of New York Port, 1815-1860*. (New York, 1939), 76-94.

38. Duncan, John M., *Travels Through Part of the United States and Canada in 1818 and 1819* (Glasgow, 1823), 2 vols., I, 342n.

39. *Niles Weekly Register*, XXVIII, July 9, 1825.



had endeavored to secure an alliance with Great Britain, in 1809 they had revived the idea of separation from the United States and during the War of 1812 great numbers of them had refused to support the Federal Government. But the Champlain Canal removed the economic motive for these separatist leanings by providing new commercial connections with the other American states. By the time of the Civil War, so unreservedly were Vermonters attached to the American nation that they supported whole-heartedly the North's efforts to save the union, preserve American democracy and free the slaves.





## CHAPTER NINETEEN

# Recapitulation

Vermont's history from about 1760 to 1825 can be fully understood only if projected against its geographic background. He who looks at a map of Vermont may learn as much as he who reads a dozen monographs.

What immediately strikes the eye is that Vermont contains within its boundaries three sections: one tributary to the Hudson, one to the St. Lawrence, and one to the Connecticut River. Until the Champlain Canal connected Lake Champlain with the Hudson, the Champlain Valley lay within the Canadian commercial orbit and at the same time it was a section of an American state. The efforts of two generations of Vermonters to reconcile their political affiliations with their commercial connections dominated their politics and seriously affected those of Canada and the United States.

The quandary in which Vermonters, chiefly of the Champlain Valley, were placed by their geographic situation did not emerge until the American Revolution. Between 1763 and 1776 the British flag flew over the valleys of the St. Lawrence, the Hudson and the Connecticut. Montreal, Albany and Hartford were British commercial centers. To them the Vermonters had free access because they were British subjects. It is no wonder, therefore, that Ira Allen should have described this as the "happy period," because Canada and Vermont were under one king.

The commercial advantages of living in the British Empire did not deter Vermonters from joining the American Revolution. Resenting outside interference, they were poised by 1775 to revolt against the British and to capture Canada in order to destroy this seat of British power and to make certain that the valley of the St. Lawrence would be in friendly hands in the future. What was of equal importance, they were also on the eve of declaring their independence from New York.





The causes of the separation of what is now Vermont from New York have invariably been described in terms of boundary conflicts and rival land speculators. Vermont, it has been said, came into existence because New York had in 1764 successfully reasserted its claim to all the lands lying within an area in which New Hampshire had granted titles since 1749. Thereupon, the land speculators under New Hampshire grants challenged New York's right to regrant their lands and, when all else failed, declared their independence from New York.

This interpretation falls short of being comprehensive. It ignores other and equally potent causes for resentment against New York among those who were not speculators. New York failed to win the allegiance of the rank and file of actual settlers between 1764 and 1777 both by what it did and by what it did not do in this period. The province neglected to grant its citizens on the New Hampshire grants what they deemed equitable representation in the colonial assembly and it failed to distribute political patronage in an acceptable fashion. On the other hand, it acted in a most positive manner to maintain its authority by establishing a court system which was deemed arbitrary; it enforced the payment of debts owed to Yorkers by hard-pressed farmers; and it required—on paper at least—the payment of quit rents. New York could not be made responsible, however, for the facts that its ports were at an inconvenient trading distance from most of the grants and that its inhabitants were cast in a different cultural mold than were Yankees. Whether responsible or not, New York faced a rebellion in a part of its backcountry. In the struggle which ensued the seaboard was ultimately defeated.

This victory was in very large degree owing to the extraordinarily able leadership of the Allen brothers. They were successful because they identified the cause of the speculators (among whom they were very prominent) with the cause of the rank and file of the settlers and upon this base they built a united front against New York. When the Revolution had weakened both British and Yorker authority, they secured a declaration of independence from both. This revolution within a revolution was brought to a con-





clusion by the writing of the Vermont Constitution of 1777 which included democratic features, such as universal manhood suffrage, and which established a government to support the New Hampshire titles.

By 1780 or thereabouts, two objectives remained to be achieved—recognition of independence by the Continental Congress and the conquest of Canada. Disavowed by the American association, Vermonters lost hope that they would ever be admitted as members in good standing. Faced with the awkward reality that the British were still a military power nearby and that they could exclude Vermonters after the war from the mercantilistic economy of the British Empire, the Allens decided to withdraw from the Revolution and discover the terms upon which they might rejoin Great Britain. They reasoned that if Canada could not be swung into the American orbit, Vermont might have to revolve in the Canadian.

Their attitude in opening negotiations with intermediaries of General Haldimand, who commanded at Quebec, was thoroughly opportunistic. Before Cornwallis' surrender, the Allens hoped to prepare Vermont to join whichever side won the war and to use the negotiations as the means of forcing the hand of the Continental Congress. They were undoubtedly averse to rejoining the Empire until British victory on the continent had been won or assured. The British *débâcle* at Yorktown confirmed their worst fears and vindicated their policy of watchful waiting.

Yet, it was after Cornwallis' surrender that the Allens actually threw themselves wholeheartedly and without reservation into activities designed to make Vermont in effect a British province. Their determination resulted from complete disgust with the Continental Congress and from fears for their commercial future. Between Cornwallis' surrender and the peace treaty of 1783, the Allens sought first to make a secret treaty with Britain and, secondly, to seek British intervention on their behalf at the Paris peace conference. These measures failed to win a favorable response chiefly because the British were indifferent to North American affairs, weary of waging war and desirous of weaning the





Americans from the French Alliance by making a treaty favorable to the American states. The treaty which resulted was a catastrophe for the Allens in that the Canadian-American boundary was drawn along the forty-fifth parallel between the Connecticut and St. Lawrence rivers.

From this blow the Allens swiftly recovered by revising their foreign policy. Between 1784 and 1787 they sought and won the privilege of exporting Vermont natural products free of duty into Canada; a victory won with the support of Canadian merchants who foresaw great profit by attracting to themselves all the trade of the American territory lying within the St. Lawrence watershed. The Canadian government fell in with this plan because it hoped to maintain the friendship of the Vermonters and anticipated smuggling on a large scale if it were not conceded. Overseas, the home government permitted this radical departure from orthodox mercantilistic practice (which forbade direct trade between a colony and a foreign state) because a Vermont-Canada trade would be carried on by land or inland navigation rather than by sea.

The year which saw the opening of this trade was also the year in which the Federal Constitutional Convention met in Philadelphia. The adoption and ratification of the Constitution upset the relative position of the various powers on the continent and brought into existence a government with power sufficient to bring Vermont to terms.

Chief among the supporters of the Constitution who saw clearly that Vermont looked to the north rather than to the south was Alexander Hamilton. Few statesmen of the time were so keenly aware of Vermont's predicament. He believed that, if Vermont were not eventually to join the British, New York must abandon its claims at once. Only by doing so would it be possible to make a beginning by winning the support of the Vermonters who lived in the two sections which lay within the American commercial orbit and who naturally desired to connect their state with the other American states. In this area Hamilton found a Vermonter, Nathaniel Chipman, who felt as he did about Vermont's future.





By appealing to a sense of nationality, by rallying his fellows who resented the Allens' playing fast and loose with their government, and by utilizing the widespread fear that the Federal Government would lay duties on imports from Vermont, Chipman was able to build an intersectional coalition sufficiently powerful to outweigh the Allens and to effect the entrance of Vermont into the union. In 1791, Vermont became an American state upon terms which were a triumph for the land claims of its citizens.

Seeing the hand-writing on the wall, the Allens tried the desperate expedient of sending Levi to London in 1789 to make a final effort to secure a treaty of alliance between Vermont and Britain, a ship canal around the Richelieu rapids, and permission to navigate the entire length of the St. Lawrence and to re-export all Vermont produce from Canada to Britain as if it were Canadian.

Only the latter request was granted. The ship canal project ran afoul the opposition of Canadian merchants who believed that their profitable position as middlemen would be jeopardized if sea-going vessels could ascend the St. Lawrence and Richelieu rivers to Lake Champlain. The proposal to make a treaty was chimerical because, after 1787, the Allens could no longer bend their government to their will and because the British government did not wish to offend the United States at this time. When Levi returned to Vermont he discovered that it had become the fourteenth state.

The new political affiliation of the Vermonters failed to clear the atmosphere. Indeed, the quandary of inhabitants living in the Champlain Valley was increased rather than diminished. Chipman was sufficiently intelligent to see that this was so. He proposed to make good Americans of all Vermonters by giving what encouragement he could to the efforts of Yorkers to build a canal connecting the Champlain Valley and the Hudson. Only a canal could extinguish the separatist feelings among those Vermonters who traded almost exclusively with Canadians. The failure of the Yorkers to complete the canal in the seventeen-nineties must have been a bitter blow to him.

Although the trade with Canada did not come up to expecta-





tions during the years immediately after Vermont joined the United States, this did not mean that Vermonters dropped their interest in things Canadian. After 1791 they became absorbed in efforts to settle upon and speculate in Canadian lands lying directly north of the boundary. When, in 1791, the Canadian government invited petitions for warrants of survey for Canadian lands, Vermonters responded with alacrity. By the end of the year, about three million acres of land had been warranted for survey, most of which passed into the hands of Americans who returned home to describe what good fellows the British were after all.

The disappointment of these men can be imagined when, in 1794-1795, the Canadian government decided to recall the warrants of survey on the grounds that they had been issued in violation of royal instructions and that the threat of war between Britain and the United States over the issue of British retention of the western posts made Americans undesirable residents of the province. This reversal of land policy irritated Vermonters beyond belief. Prior to this time the British had refused to grant them direct access to the north Atlantic; now they endeavoured to take back the land which they had seemingly granted. These grievances put Vermonters into a mood similar to that in which they had been when they rebelled against New York. Now they might fly to arms once more if their ambitions in Canada were not satisfied. As a consequence, some Vermonters would have supported the United States with enthusiasm if it had gone to war over the issue of the western posts. Others, however, preferred by remaining neutral to win British concessions as the price of their neutrality. The benefits neither of war nor of neutrality were ever within their grasp because the Jay Treaty of 1794 blew away the war clouds.

Thereupon a Vermont faction, to which Ira Allen belonged, decided to ally itself with Britain's enemy in Europe, revolutionary France, and with her aid wrest Canada from the British. To effect this bold plan, Ira crossed the Atlantic and signed a secret agreement with the Directory in 1796, while at the same time his sympathizers in Vermont sought to enlist the aid of disaffected French





and Anglo-Canadians in the British province. Thanks to British vigilance, the plan totally miscarried, bringing disaster to Ira and Levi, both of whom now passed forever from the Vermont scene, discredited, frustrated and embittered.

From about 1800 to 1807, Vermonters adopted a different approach to their Canadian problems. For almost a decade they eschewed politics, abandoned all thought of conquering their neighbors, and turned instead to participate in the business boom in Canada which resulted from the Napoleonic wars. During this time Vermonters poured a tremendous quantity of timber into the Canadian market in order to meet the unprecedented demand for shipbuilding materials. They moved to Montreal in order to become merchants, sought jobs as skilled or unskilled laborers, settled as farmers in the Canadian countryside just north of the boundary and, in company with other Americans, began to win such a sizeable share of Canadian business as to cause great distress among Anglo-Canadian merchants. All in all, Vermonters prospered mightily, and Canadians, too.

This felicitous situation was of short duration. By 1807 the growing crisis between Britain and the United States over the American interpretation of their rights as neutrals in the great contest for the European balance of power increasingly involved Canadians and Vermonters. In the long run it was to spell war between them.

The threat of war once more divided Vermonters into two camps: one favoring war, the other neutrality. The latter group feared that war would destroy the prosperous trade with Canada and it drew back in horror from the prospect of fighting Napoleon's enemy. The former group whipped up a war-like frame of mind by holding out the promise that war against Britain would involve an attack upon Canada which, if successful, would open Canadian land to American farmers upon American terms, gain control of the St. Lawrence vestibule to the high seas and destroy the alliance between Britons and Indians.

Vermonters who wished to remain neutral were drawn into smuggling on a vast scale during the days of the Embargo and





Non-Intercourse acts, and some of their leaders contemplated proposals to separate Vermont from the union in case war actually ensued. Those who thought in terms of the conquest of Canada supported Jefferson's efforts to use the Embargo and Non-Intercourse Acts as the means of forcing Britain to accept the American point of view. When these measures failed to achieve their purpose, they participated in the various assaults upon Canada, all of which were unsuccessful.

After the signing of the Treaty of Ghent, history repeated itself to the extent that the pre-war commercial ties between Vermont and Canada were resumed, but not to the extent of reviving wholly the neighborly ties of the years just before the Embargo. These might have come in due time if it had not been for the fact that New York soon gained rapidly on Montreal in the race to capture the trade of the western Great Lakes basin and the Champlain Valley. New York's great advantage in this conflict was its capacity to build a canal system. When the vision of De Witt Clinton finally materialized with the building of the Champlain and Erie canals, the bulky raw materials of the valley and the west were sent to the Hudson rather than to the St. Lawrence. The opening of the Champlain Canal in 1822 provided Vermonters in the Champlain Valley with a market in New York and, by so doing, solved Vermont's persistent commercial problem and delivered its inhabitants from their quandary.



# BIBLIOGRAPHY

## I. MANUSCRIPTS

### COLUMBIA UNIVERSITY LIBRARY

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Stevens Miscellaneous Collection.

Isaac Tichenor Papers.

Vermont Papers.

PUBLIC ARCHIVES OF CANADA

See Parker, David, *Guide to the Materials for United States History in the Canadian Archives* (Washington, 1913).

George Allsopp Letterbook.

Baby Collection.

Series "C. O., 42"—Board of Trade Papers Relating to Canada.

Series "C. O., 5"—Board of Trade Papers Relating to Canada.

Series "B"—Haldimand Papers (Calendared in the *Reports of the Canadian Archives*, 1884-1889).

Series "C"—Military Papers.

Series "E"—Privy Council Documents.

Series "G"—Governor-General Papers.

Series "Q"—Transcripts from London, Canadian State Papers.

Series "S"—Internal Correspondence of the Province of Quebec and Lower Canada.

John Graves Simcoe Transcripts:

"Cole" Simcoe Transcripts.

"J. Ross Robertson" Simcoe Transcripts.

"Wolford" Simcoe Transcripts.

UNIVERSITY OF VERMONT

Ira Allen Diary.

VERMONT HISTORICAL SOCIETY

Ira Allen Papers.

Nathaniel Chipman Papers.

Matt B. Jones Photostats.

Royall Tyler Papers.

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VERMONT, OFFICE OF THE SECRETARY OF STATE

Surveyor-General Papers.

Manuscript State Papers.

Manuscript Assembly Journals.

Stevens Transcripts.

WILBUR LIBRARY

Ira Allen Collection.





## II. PRINTED SOURCES

- Allen, Ira, *Autobiography* [printed in Wilbur, J. B., *Ira Allen, Founder of Vermont* (Boston and New York, 1928), 2 vols., I, 1-59].
- Annals of Congress* (Washington, D. C., 1834-1856), 42 vols.
- Burnett, E. C., *Letters of the Members of the Continental Congress* (Washington, D. C., 1921-1936), 8 vols.
- Carter, C. E., *The Correspondence of General Thomas Gage* (New Haven, 1931-1933), 2 vols.
- Cruikshank, E. A., *The Correspondence of John Graves Simcoe with Allied Documents Relating to His Administration of the Government of Upper Canada* (Toronto, 1923-1931), 5 vols.
- Doughty, A. G., MacArthur, D. A., *Documents Relating to the Constitutional History of Canada, 1791-1818* (Ottawa, 1914).
- Innis, H. A., Lower, A. R. M., *Select Documents Relating to Canadian Economic History, 1783-1885* (Toronto, 1933).
- Lodge, H. C., *The Works of Alexander Hamilton* (New York and London, 1904), 12 vols.
- Manning, W. R., *Diplomatic Correspondence of the United States: Canadian Relations, 1784-1860* (Washington, D. C., 1940-1943), 2 vols.
- New Hampshire, *Provincial and State Papers* (Concord, etc., 1867-1943), 40 vols.
- New York, *Documents Relating to the Colonial History of New York* (Albany, 1856-1883), 14 vols.
- O'Callaghan, E. B., *Documentary History of the State New York* (Albany, 1850-1851), 4 vols.
- Public Papers of George Clinton* (Albany, 1899-1914), 10 vols.
- Records of the Governor and Council of the State of Vermont* (Montpelier, 1873-1880), 8 vols.
- Shortt, A., Doughty, A. G., *Documents Relating to the Constitutional History of Canada, 1759-1791* (Ottawa, 1918).
- Stevens, B. F., *Facsimiles of Manuscripts in European Archives Regarding America*.
- Vermont Historical Society, *Collections* (Montpelier, 1870-1871), 2 vols.



Vermont, *The Laws of the State of Vermont* (Randolph, 1808-1817), 3 vols.

*Vermont State Papers* (Montpelier, etc., 1924), 5 vols.

Wood, W., *Select British Documents of the Canadian War of 1812* (Toronto, 1920-1928), 3 vols.

### III. NEWSPAPERS

*Bennington Gazette*.

*Connecticut Courant* (Hartford).

*Green Mountain Farmer* (Bennington).

*New Hampshire Gazette* (Portsmouth).

*New York Packet*.

*Quebec Gazette*.

*Rivington's Gazette* (New York).

*The Post-Boy* (Windsor).

*The Washingtonian* (Windsor).

*The Watchman* (Montpelier).

*Vermont Gazette* (Bennington).

*Vermont Journal* (Windsor).

*Vermont Republican* (Windsor).

*Vermont Republican and American Yeoman* (Windsor).

### IV. MAGAZINES

Bemis, S. F., "The Relations Between the Vermont Separatists and Great Britain, 1789-1791," *American Historical Review* (XXI, 3, April, 1916), 547-560.

Bixby, G. F., "The History of the Iron Ore Industry on Lake Champlain," *Proceedings of the New York State Historical Association* (X, 1911), 171-237.

Brown, G. W., "The St. Lawrence in the Boundary Settlement of 1783," *Canadian Historical Review* (X, 3, September, 1928), 223-238.

Jones, R. H., "Agriculture in Lower Canada," *Canadian Historical Review* (XXVII, 1, March, 1946), 33-51.

Lunn, Jean, "The Illegal Fur Trade out of New France, 1713-1760," *Report of the Canadian Historical Association*, 1939.





- Mackintosh, W. A., "Canada and Vermont: A Study in Historical Geography," *Canadian Historical Review* (VII, 1, March, 1927), 9-30.
- New England Historical and Genealogical Register* (Boston, 1865-1899), 6 vols.
- Niles Weekly Register*.
- Pell, John, "The Saga of Will Gilliland," *New York History* (XIII, 4, October, 1932), 390-403.
- Pell, John, "Philip Skene of Skenesborough," *The Quarterly Journal of the New York State Historical Association* (IX, 1, January, 1928), 27-44.
- Richardson, A. J. H., "Chief Justice William Smith and the Haldimand Negotiations," *Proceedings of the Vermont Historical Society* (n. s., IX, 2, June, 1941), 84-114.
- Rife, C. W., "Ethan Allen, An Interpretation," *New England Quarterly* (II, 4, October, 1929), 561-584.
- Shortt, A., "Founders of Canadian Banking," *Journal of the Canadian Bankers' Association* (XXX, October, 1922), 34-47.
- Turner, F. J., "English Policy Towards America in 1790-1791," *American Historical Review* (VII, 4, July, 1902), 706-735. Also, VIII, I, October, 1902, 78-86.
- Williamson, C., "New York's Struggle for Champlain Valley Trade, 1760-1825," *New York History* (XXII, 4, October, 1941), 426-436.
- Williamson, C., "New York's Impact Upon the Canadian Economy Prior to the Completion of the Erie Canal," *New York History* (XXIV, 1, January, 1943), 24-38.
- Williamson, C., "A Document Illustrative of the Swiss Policy of Vermont," *Proceedings of the Vermont Historical Society* (n.s. XI, 1, March, 1943), 25-33.

## V. MONOGRAPHS AND OTHER SECONDARY WORKS

- Akagi, R. H., *The Town Proprietors of the New England Colonies: a Study of Their Development, Organization, Activities and Controversies, 1620-1770* (Philadelphia, 1924).





- Albion, R. G., *The Rise of New York Port* (New York, 1939).
- Albion, R. G., *Forests and Sea Power, the Timber Problem of the Royal Navy, 1652-1862* (Cambridge, 1926).
- Alexander, E. P., *A Revolutionary Conservative, James Duane* (New York, 1938).
- Allen, Ira, *The Natural and Political History of the State of Vermont* (London, 1798).
- Baldwin, A. M., *The New England Clergy and the American Revolution* (Durham, 1928).
- Batchelder, C. N., *Documentary History of the Protestant Episcopal Church in the Diocese of Vermont* (New York, 1876).
- Baulig, Henri, *Amérique Septentrionale* (Paris, 1935-1936), 2 vols.
- Belknap, Jeremy, *The History of New Hampshire* (2nd ed., Boston, 1813), 2 vols.
- Bemis, S. F., *Jay's Treaty: A Study in Commerce and Diplomacy* (New York, 1924).
- Benton, R. C., *The Vermont Settlers and the New York Speculators* (Minneapolis, 1894).
- Bond, B. W., *The Quit-Rent System in the American Colonies* (New Haven, 1919).
- Bouchette, Joseph, *A Topographical Description of the Province of Lower Canada, With Remarks Upon Upper Canada, and on the Connexion of Both Provinces with the United States of America* (London, 1815).
- Burt, A. L., *The Old Province of Quebec* (Toronto, 1933).
- Burt, A. L., *The United States, Great Britain and British North America* (New Haven, 1940).
- Caron, Ivanhoë, *La Colonisation de la Province de Québec* (Quebec, 1923-1927), 2 vols.
- Chipman, Daniel, *The Life of the Honorable Nathaniel Chipman* (Boston, 1846).
- Coolidge, G. O., *The French Occupation of the Champlain Valley from 1609-1759* (Montpelier, 1938).
- Creighton, D. G., *The Commercial Empire of the St. Lawrence, 1760-1850* (New Haven, 1937).



- Crockett, W. H., *Vermont, the Green Mountain State* (New York, 1921-1923), 5 vols.
- Cruikshank, E. A., *The Political Adventures of John Henry: the Record of an International Embroglio* (Toronto, 1936).
- Cushing, E., *An Appeal Addressed to a Cordial Public . . . .* (Stanstead, 1826).
- Davis, J. S., *Essays on the Earlier History of American Corporations* (Cambridge, 1917), 2 vols.
- Defebaugh, J. E., *History of the Lumber Industry of America* (Chicago, 1906-1907), 2 vols.
- Duncan, J. M., *Travels Through Part of the United States and Canada in 1818 and 1819* (Glasgow, 1823), 2 vols.
- East, R. A., *Business Enterprise in the American Revolutionary Era* (New York, 1938).
- Flenley, R. (ed.), *Essays in Canadian History Presented to George Mackinnon Wrong for His Eightieth Birthday* (Toronto, 1939).
- Fox, D. R., *Yankees and Yorkers* (New York, 1940).
- Gipson, L. H., *Jared Ingersoll: A Study of American Loyalism in Relation to British Colonial Government* (New Haven, 1920).
- Gipson, L. H., *The British Empire Before the American Revolution* (Caldwell, Idaho, and New York, 1936-1946), 7 vols.
- Glazebrook, G. P., de T., *A History of Transportation in Canada* (New Haven, 1938).
- Graham, G. S., *Sea Power and British North America, 1783-1820* (Cambridge, 1941).
- Graham, G. S., *British Policy and Canada, 1774-1791; a Study in Eighteenth Century Trade Policy* (London, 1930).
- Hall, B. H., *History of Eastern Vermont from the Earliest Settlement to the Close of the Eighteenth Century* (Albany, 1865), 2 vols.
- Hansen, M. L. (Completed and Prepared for Publication by John Bartlet Brebner), *The Mingling of the Canadian and American Peoples* (New Haven, 1940).
- Harrington, V. D., *The New York Merchant on the Eve of the Revolution* (New York, 1935).





- Hemenway, A. M. (ed.), *The Vermont Historical Gazetteer* (Burlington, 1868-1891), 5 vols.
- Higgins, R. L., *Expansion in New York, with Especial Reference to the Eighteenth Century* (Columbus, 1931).
- Innis, M. Q., *An Economic History of Canada* (Toronto, 1935).
- Jones, M. B., *Vermont in the Making* (Cambridge, 1939).
- Lamson, G., "Geographical Influences in the Early History of Vermont," *Proceedings of the Vermont Historical Society for the Years 1921, 1922, and 1923*, 79-138.
- Lanctôt, Gustave, *Les Canadiens Français et Leurs Voisins du Sud* (New Haven, 1941).
- Link, E. P., *Democratic-Republican Societies, 1790-1800* (New York, 1942).
- Lower, A. R. M., *Lumbering in Eastern Canada* (Unpublished Harvard Ph.D. Thesis, 1929).
- Lower, A. R. M., *The North American Assault on the Canadian Forest* (New Haven, 1938).
- Ludlum, D. M., *Social Ferment in Vermont, 1791-1850* (New York, 1939).
- Mark, Irving, *Agrarian Conflicts in Colonial New York, 1711-1775* (New York, 1940).
- Mayo, L., *John Wentworth, Governor of New Hampshire, 1767-1775* (Cambridge, 1921).
- Morrow, R. L. (ed.), *Proceedings, Conferences on Educational Problems in Canadian-American Relations, 1938* (Orono, 1939).
- Morrow, R. L., *Connecticut Influences in Western Massachusetts and Vermont* (New Haven, 1936).
- Nevins, Allan, *The American States During and After the Revolution, 1775-1789* (New York, 1924).
- Palmer, P. S., *History of Lake Champlain* (Albany, 1866).
- Pell, John, *Ethan Allen* (Boston and New York, 1929).
- Pratt, J. W., *The Expansionists of the War of 1812* (New York, 1925).
- Sabine, Lorenzo, *Biographical Sketches of Loyalists of the American Revolution* (Boston, 1864), 2 vols.





- Savelle, Max, *The Diplomatic History of the Canadian Boundary, 1749-1763* (New Haven, 1940).
- Spaulding, E. W., *His Excellency, George Clinton, Critic of the Constitution* (New York, 1938).
- Spaulding, E. W., *New York in the Critical Period, 1783-1789* (New York, 1932).
- Sprague, A. D., *Annals of the American Pulpit* (New York, 1859-1865), 8 vols.
- Stilwell, L. D., *Migration from Vermont* (Montpelier, 1937).
- Thomas, C., *Contributions to the History of the Eastern Townships* (Montreal, 1866).
- Thompson, C. M., *Independent Vermont* (Boston, 1942).
- Upton, R. F., *Revolutionary New Hampshire* (Hanover, 1936).
- Van Doren, Carl, *Secret History of the American Revolution* (New York, 1941).
- Wardner, H. S., *The Birthplace of Vermont: a History of Windsor to 1781* (New York, 1927).
- Watson, J., *Pioneer History of the Champlain Valley* (Albany, 1863).
- Whitford, N. E., *History of the Canal System of the State of New York* (Albany, 1906), 2 vols.
- Wilbur, J. B., *Ira Allen, Founder of Vermont* (Boston and New York, 1928), 2 vols.
- Williams, Samuel, *The Natural and Civil History of Vermont* (Burlington, 1809, 2nd ed.), 2 vols.
- Wilson, H. F., *The Hill Country of Northern New England: its Social and Economic History, 1790-1830* (New York, 1936).
- Wrong, G. M., *Canada and the American Revolution: the Disruption of the First British Empire* (New York, 1935).
- Woodard, F. M., *The Town Proprietors in Vermont* (New York, 1936).



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